

Charles R. Roskie to be postmaster at Montello, Wis., in place of Charles Brown, deceased.

Lester C. Porter to be postmaster at Fontana, Wis. Office became presidential July 1, 1926.

Mathias F. Adler to be postmaster at Waunakee, Wis., in place of M. F. Adler. Incumbent's commission expired September 2, 1926.

Oscar C. Wertheimer to be postmaster at Watertown, Wis., in place of O. C. Wertheimer. Incumbent's commission expires March 2, 1927.

Benjamin Y. Hallock to be postmaster at Verona, Wis., in place of J. F. Matts. Incumbent's commission expired March 7, 1926.

John M. Albers to be postmaster at Thiensville, Wis., in place of J. M. Albers. Incumbent's commission expired September 12, 1926.

Hilary L. Haessly to be postmaster at Theresa, Wis., in place of H. L. Haessly. Incumbent's commission expired August 12, 1926.

Alice M. Clinton to be postmaster at Sullivan, Wis., in place of A. M. Clinton. Incumbent's commission expired August 12, 1926.

Margaret E. Glassow to be postmaster at Schofield, Wis., in place of M. E. Glassow. Incumbent's commission expired September 22, 1926.

Clytie Geiger to be postmaster at Rothschild, Wis., in place of Clytie Geiger. Incumbent's commission expired August 12, 1926.

Emile Klentz to be postmaster at Reeseville, Wis., in place of Emile Klentz. Incumbent's commission expired August 14, 1926.

Allen W. Wiggin to be postmaster at Plymouth, Wis., in place of A. W. Wiggin. Incumbent's commission expired August 12, 1926.

Alice E. Ford to be postmaster at Pelican Lake, Wis., in place of A. E. Ford. Incumbent's commission expired August 24, 1925.

Orris O. Smith to be postmaster at Pardeeville, Wis., in place of O. O. Smith. Incumbent's commission expired August 12, 1926.

George W. Taft to be postmaster at Necedah, Wis., in place of G. W. Taft. Incumbent's commission expired September 22, 1926.

Marinus Jensen to be postmaster at Mountain, Wis., in place of Marinus Jensen. Incumbent's commission expired December 19, 1926.

Earle R. Schilling to be postmaster at Minocqua, Wis., in place of E. R. Schilling. Incumbent's commission expired September 22, 1926.

Winford Suits to be postmaster at Medford, Wis., in place of Winford Suits. Incumbent's commission expired September 15, 1926.

Gilbert J. Grell to be postmaster at Johnson Creek, Wis., in place of G. J. Grell. Incumbent's commission expired August 12, 1926.

Lewis M. Smith to be postmaster at Jefferson, Wis., in place of L. M. Smith. Incumbent's commission expired August 12, 1926.

Andrew J. Bosch to be postmaster at Gratiot, Wis., in place of A. J. Bosch. Incumbent's commission expired April 7, 1926.

Elsie O. Barnes to be postmaster at Friendship, Wis., in place of E. O. Barnes. Incumbent's commission expired September 12, 1926.

George A. Potter to be postmaster at Fort Atkinson, Wis., in place of G. A. Potter. Incumbent's commission expired August 12, 1926.

Clara M. Johnson to be postmaster at Ettrick, Wis., in place of C. M. Johnson. Incumbent's commission expired December 19, 1926.

Grace E. Skinner to be postmaster at Endeavor, Wis., in place of Ella Gothompson. Incumbent's commission expired May 3, 1926.

Grant E. Denison to be postmaster at Carrollville, Wis., in place of G. E. Denison. Incumbent's commission expired July 26, 1926.

Clarence B. Jensen to be postmaster at Cambridge, Wis., in place of C. B. Jensen. Incumbent's commission expired December 19, 1926.

Joseph R. Frost to be postmaster at Avoca, Wis., in place of J. R. Frost. Incumbent's commission expired July 26, 1926.

John S. Farrell to be postmaster at Green Bay, Wis., in place of J. S. Farrell. Incumbent's commission expired January 3, 1927.

William W. Winchester to be postmaster at Amery, Wis., in place of W. W. Winchester. Incumbent's commission expires January 29, 1927.

CONFIRMATIONS

Executive nominations confirmed by the Senate January 14, 1927

UNITED STATES ATTORNEY

Thomas J. Sparks to be United States attorney for the western district of Kentucky.

REGISTER OF THE LAND OFFICE

Albert G. Stubblefield to be register of the land office at Pueblo, Colo.

POSTMASTERS

ILLINOIS

Jesse E. Miller, Cairo.
Orville L. Davis, Champaign.
Henry W. Schwartz, Dupon.
Henry E. Farnam, Pawnee.
Robert H. Christen, Pocatonia.

MICHIGAN

Leroy M. Guinniss, Algonac.
John J. Ellis, jr., Calumet.
Ida L. Sherman, Pullman.

MISSOURI

Emanuel S. Lawbaugh, St. Marys.

SOUTH DAKOTA

Solomon Hoy, Fort Pierre.
Gunnell M. Gorder, Frederick.
Benjamin R. Stone, Lead.
Clarence A. Carlson, Philip.
Matt Flavin, Sturgis.

TENNESSEE

Gordon P. Hyatt, Ducktown.
Gertrude Jamison, Millington.
Joseph M. Patterson, Watertown.

WISCONSIN

Lyle H. Nolo, Alma Center.
Ora C. Thompson, Argyle.
Peter E. Korb, Boyd.
Otto C. Nienas, Camp Douglas.
Imogene Croghan, Cascade.
Edwin H. Jost, Cleveland.
Paul Mlodzik, Cudahy.
Joseph W. Jacobson, Dane.
Annie E. Nelson, Dresser Junction.
Anna J. Johnson, Fairwater.
Gerrit J. Vredevelt, Friesland.
William Kotvis, Hillsboro.
Clarence J. Fleweger, Kimberly.
Ethel F. Pilgrim, Menomonee Falls.
Edward V. Snider, Mosinee.
Charles S. Brent, Oconomowoc.
Herman Graskamp, Oostburg.
Henry F. Delles, Port Washington.
Otto A. Olson, Star Prairie.
Louis C. Currier, Stoughton.
Hall L. Brooks, Tomahawk.

WITHDRAWAL

Executive nomination withdrawn from the Senate January 14, 1927

POSTMASTER

WEST VIRGINIA

Robert Parnell to be postmaster at Stirrat, in the State of West Virginia.

HOUSE OF REPRESENTATIVES

Friday, January 14, 1927

The House met at 12 o'clock noon, and was called to order by the Speaker.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Father in heaven, for the birth of every day we bless Thee; for every hope that makes life worth while we praise Thee. Truly, in Thee we find our rest and full security. Thy providence is a daily miracle—so sure, so rich, and so inexhaustible. Oh, may it never be overlooked or undervalued. Fill our lives with mighty meaning and inspire them with a pulsing passion to realize it. The Lord most graciously look upon our country with great favor. Bless all institutions that help men and that make him worthier as Thy child. Amen.

The Journal of the proceedings of yesterday was read and approved.

TREASURY AND POST OFFICE APPROPRIATION BILL

Mr. VARE. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 14557) making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1928, with Senate amendments, disagree to all the Senate amendments, and request a conference with the Senate.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent to take from the Speaker's table the bill H. R. 14557, with Senate amendments, disagree to all the Senate amendments, and ask for a conference. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the bill by title.

The Clerk read as follows:

A bill (H. R. 14557) making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1928, and for other purposes.

The SPEAKER. The Chair appoints the following conferees on the part of the House: Mr. MADDEN, Mr. VARE, and Mr. BYRNS.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Craven, its principal clerk, announced that the Senate had passed bill of the following title with amendments:

H. R. 7555. An act to authorize for the fiscal years ending June 30, 1928, and June 30, 1929, appropriations for carrying out the provisions of the act entitled "An act for the promotion of the welfare and hygiene of maternity and infancy, and for other purposes," approved November 23, 1921; in which the concurrence of the House is requested.

EXTENSION OF REMARKS

Mr. HOWARD. Mr. Speaker, I just wanted to direct attention to the fact that in the confusion last evening, just before the vote was taken on the river and harbor bill, the usually alert reporters failed to get a request that I proposed to the House, and that was to ask for unanimous consent to extend in the RECORD some unuttered sentiments regarding certain assaults made upon my Missouri River by gentlemen on the floor. The Chair did not understand because of the great confusion. That was the request I desired to make. However, I have discovered that unanimous consent in behalf of everybody has been given. I do not want to change the RECORD, but I want them to know that I did not wish to attempt to disturb the smooth movement of the machinery.

ENROLLED BILLS SIGNED

Mr. CAMPBELL, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled House bills of the following titles, when the Speaker signed the same:

H. R. 15008. An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1928, and for other purposes; and

H. R. 11616. An act authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

JOINT RESOLUTION PRESENTED TO THE PRESIDENT

Mr. CAMPBELL, from the Committee on Enrolled Bills, reported that that committee had this day presented to the President of the United States, for his approval, the following joint resolution:

H. J. Res. 303. Joint resolution to correct a misnomer contained in the act to fix the salaries of certain judges of the United States.

THE SITUATION IN MEXICO AND NICARAGUA

The SPEAKER. The gentleman from New Jersey [Mr. EATON] is recognized for 20 minutes.

Mr. EATON. Mr. Speaker and gentlemen of the House, I ask that I may have the courtesy of being allowed to complete my statement without interruption.

In the RECORD of January 11 the distinguished gentleman from Alabama [Mr. HUDDLESTON] makes the following statement:

I come back to my original charge. The President wants war with Mexico. He is driving for it. Is the Congress going to sit here and allow our President to force us into war?

I am sorry that I do not see the gentleman present.

Mr. HUDDLESTON. He is here.

Mr. EATON. Oh, I beg the gentleman's pardon; he is present.

A statement of such monumental absurdity would fall of its own weight or, rather, would drift into oblivion of its own lightness except for the fact that it was made by a Member of this body and in tenor and spirit is supported by Mr. BORAH, a

distinguished colleague of his, from whom he draws wisdom at the other end of the Capitol, and I am sure their combined voices will be heard in every Latin-American Republic and in every other sore spot throughout the world.

It is my duty to the constituency which I represent to enter in their behalf a protest against a statement of this kind, so mischievous and misleading, being spread broadcast throughout the world at a time when our Government is engaged in difficult and delicate negotiations in Mexico and Central America.

The statement of the honorable gentleman gains added power for evil, because certain distinguished gentlemen on the Democratic side have introduced resolutions which rest upon the assumption that the statement is true. It looks now as if there were a concerted and conscious intention and effort to use this incident as a partisan issue.

Now, I am not opposed to the Democratic Party having at least one issue. It is a long time since they have had one, and because I believe in the two-party government I would even be willing to assist that party in securing some workable issue. But I am invincibly set against their proposal to adopt as a partisan issue a proposition which will not only injure this country at home but disrupt and embarrass its relations abroad.

Mr. STEVENSON. Mr. Speaker, will the gentleman yield there?

Mr. EATON. No. I have just stated that I do not wish to be interrupted.

The SPEAKER. The gentleman declines to yield.

Mr. EATON. The prim and proper and meticulous method by which the whole process has been exploited; the perfectly shocked and agonized attitude of mind assumed by gentlemen on the other side remind me of an incident that occurred in northern Vermont at the time automobiles were first introduced, when horses owned by the farmers were badly scared by sight of these new and to them dangerous modes of transportation. A friend of mine driving a new Ford through a narrow country lane discerned a hundred yards ahead of him an old decrepit horse with a pair of old and decrepit people in a decrepit buggy. They seemed to be in trouble. The old lady was raising a tremendous disturbance; the horse was standing still. My friend backed his car into the bushes, went forward and asked if he could be of any service, and the old man who at that moment was being pulled about by his wife, who was throwing her arms around his neck, shedding tears, and screaming, said, "If you can manage to work the old woman past, I guess I can manage to get the team by myself." [Laughter.] I seem to me that this whole disturbance raised by the gentleman from Alabama and others is a tempest in a teapot.

Let me refer first of all to Nicaragua. There is absolutely nothing in our present relations with the Republic of Nicaragua that is unusual or unlike anything that has been happening in the last 15 or 20 years.

Even the criticisms now made against the action of our Government are almost identical with those made in 1913, when we negotiated the canal treaty with Nicaragua. As evidence of this I quote a list of criticisms stressed at that time, which was compiled by our then minister to Nicaragua:

The criticisms of our policy, so far as they can be ascertained from pamphlets and prints of various kinds, are about as follows: (1) That the United States to cover its design of ousting Zelaya and the Liberals from the Government of Nicaragua made use of the frivolous pretext of seeking redress for the killing of two Americans; (2) that Madriz, another Liberal, the successor of Zelaya, was the constitutional President and should have been recognized as such by the United States; (3) that the Conservative Government which followed the Zelaya-Madriz régime was corrupt and despotic, and the program of financial reorganization for which it was sponsor worked injustice to Nicaragua; (4) that the landing of marines at the time of the Mena revolution was an unprecedented violation of territory, and their retention in Managua is the only thing that prevents the downfall of the Diaz administration; (5) that the Liberals are in an overwhelming majority in Nicaragua and would win the presidency if guaranteed honest elections under United States supervision; (6) that at least they are entitled to share in a coalition government and obtain half the offices; (7) that the pending canal treaty is against public interest not only because it is unpopular in Nicaragua, but also in that it violates the rights of the other Central American States; (8) that the canal treaty is further objectionable because it will prevent a union of Central America into a single strong republic; (9) that the whole policy of the United States is an offense against the sovereignty of Nicaragua and an affront to all Latin America.

We have had our marines there time and time again, and always at the request of either one or both of the parties involved. In the year 1909 we had six gunboats patrolling the coast of Central America, four of them sent by us and two of them sent by Mexico, which at that time was our friend and

ally. They were there for the purpose of overtaking filibustering expeditions, capturing them and taking them off the sea. At this present moment our entire policy in Nicaragua is governed by the facts of the situation. That is what the President says in his recent message. And any action our Government takes in that unhappy country is and must be taken to meet actual existing facts and conditions.

Now, the trouble with these gentlemen who are finding such a terrific nightmare in this proposition is that they pay no attention to the facts of the case and are resting their entire contention upon a theory. They have a beautiful, fragile theory which is all right as an object of art, when kept safely in the office of the gentleman from Alabama or his acknowledged colleague, the Senator from Idaho. But it is not able to sustain itself when brought into contact with reality. And it can never be made an instrument for any sensible or successful action in negotiating with foreign countries on the part of our Government.

What is the fact? The fact is that during the last 15 years the entire relationship of the United States with Nicaragua has been one of friendship, of helpfulness, and of brotherhood. We have saved the country repeatedly from destructive internal strife. We have placed its finances upon a sound and healthy basis. We have developed its natural resources and thus added to the general wealth of the people. We recognize the fact that we are the big brother of these people. We have no desire to conquer them; we have no desire to rob them. We stand here immediately beside them, and, gentlemen, so long as they are in trouble and so long as we believe in the Monroe doctrine, as we do, and in the ideal that our very strength places us under obligation to the weak, it is absolutely essential and necessary that when those peoples need us we must recognize the facts upon which that need is based and act accordingly. We can not act the same way every time. When you call the doctor to help your sick child, he must do one thing if the child has typhoid and another if he has diphtheria. So in Nicaragua. The trouble may be on the east coast; it may be on the west coast; it may be this or it may be that, but when they are in trouble and can not solve their troubles by their own resources they have the right to expect that we will listen to their appeal and do the best we can to help them solve their problems, not for our gain, not for our glory, not because we are militaristic or imperialistic but because we constitute a brotherhood on these two continents and our Nation is the big brother in the family.

Now, Mr. Speaker, I turn for a moment to Mexico and I make the assertion that what I have said about Nicaragua applies equally to Mexico. There is nothing new in our general relations with Mexico. We have the same old troubles and the same old troublemakers. I have here a statement written by the then Secretary of State, June 2, 1914, to the British Ambassador in Washington, which illustrates the curious persistence of these international phenomena. It reads as follows:

Many nationals of the United States, Great Britain, and the Netherlands interested in the oil properties in the vicinity of Tampico and Tuxpan, Mexico, are seriously concerned over possible cancellation or confiscation of their rights because of their failure to meet their contractual obligations or to conform to the requirements of the Mexican authorities, which failure has resulted from the military operations and disturbed political situation in that region. This Government considers that the loss by bona fide owners of interests in oil properties in Mexico as a result solely of conditions over which they have no control would be most unjust and inequitable, and that the Governments whose interests are affected should take such steps as they are able to prevent this wrong from being done.

Who wrote that? Mr. William Jennings Bryan, that great apostle of peace and liberty. The gentleman from Illinois [Mr. RAINES] last year informed us that Mr. Bryan's spirit still hovered over this body, deeply depressed because of the decadence that had taken place in the leadership of the Democratic Party since he left us. Mr. Bryan two weeks later wrote again, proposing that that protectorate be extended to cover mines and mining interests in Mexico. Why? Because Mr. Bryan, when he became Secretary of State, had to abandon his theories about the natural depravity of oil companies and base his practice upon facts, realities, and the necessities of the case.

Now, the danger, gentlemen, in the Mexican situation is not Mexico. We have had trouble with Mexico many times, but it did not involve war. We will have trouble many times in the future. Why? Because the Mexican civilization is nucleated around a principle which is not in accord with the principle that lies at the base of our civilization. We have been for 115 years and for 3,000 miles side by side with Canada, and during almost every year of that period there have been

questions in dispute between us, which between South American countries would have involved serious trouble and, perhaps, armed conflict. But we have solved those problems always by peaceful adjudication. Why? Because the Canadian people have the same spiritual attitude, the same moral standard, and their civilization nucleates around the same spiritual impulses and ideals which produced ours.

In dealing with South American peoples we recognize their right to their own culture, their right to work out their own salvation in their own way, their right to the historical ancestry out of which they have come and which they are trying to perpetuate in their institutions and ideals. But we recognize also that when two diverse civilizations of that sort have to negotiate a disagreement very serious misunderstandings and difficulties often arise. In spite of this, so long as we are animated by justice, keep our heads, and do not make unjust, unwise, and hysterical pronouncements which will irritate things, it has been possible, is now, and always will be possible for us to solve every relationship established between us and our Latin-American neighbors, whether it be Mexico or any other nation.

Now, ladies and gentlemen, the thing that troubles us is not Mexico. You talk about the Monroe doctrine not applying to this case. The fact is we are having trouble in that region because of an invasion from Europe.

I have given my life to a study of those economic questions which gather around the production and distribution of wealth, and my work has been an attempt to increase the participation of the multitudes of workers and toilers in the economic resources of their country. So I have had to study socialism.

Socialism as devised by Karl Marx, one of the most brilliant minds in Europe, was a great and grandiose attempt to lift the entire people at one fell swoop into full participation in all the economic resources that go into the distribution and production of wealth. It failed for two reasons. First, because it was not sound economically, and, second, because it was against human nature. Then for 60 years we must remember that it never had a chance to be tried out until the great war.

We tried it out here on our railroads during the war, and it cost us a billion and a half dollars in 22 months. It was tried in many ways during that period throughout the civilized world and failed.

In Russia, emerging from centuries of oppression, a group of able men, including Lenin, one of the ablest the world has ever seen, came on the scene. They began as Socialists, but they abandoned socialism, and they turned away from the one great instrument that Karl Marx proposed to use to advance his idea, which was the political state. They scrapped the political state, and they erected in its place a great economic institution known as the soviet. Then that institution took as its declared objective the enthronement of all the ignorant, all the unfit, all the unfortunate, in a word, the proletariat, and the dethronement and degradation of every man who had a dollar or who had achieved education or position.

The instrument to be used in this proposed world-wide revolution was destruction, inspired by hate. Wherever there is or has been a sore spot in the world, there their emissaries are to-day rubbing in salt, creating confusion, and undertaking to involve all mankind in a destructive process which will reduce all the civilization that has been achieved through the travail and anguish of the centuries to primeval chaos.

Last year I was in Scotland. For three nights in succession I attended a communistic meeting in the great city of Edinburgh. A very able speaker, who reminded me somewhat of the gentleman from Alabama, spoke every night. He had a motto over his pulpit. It read "We are out to break the Empire." He had thousands of men to hear him.

At this time they were fomenting a soviet strike among the ship interests of Great Britain and her dominions. The coal strike was threatening. Over a million people were taking the dole from the Government, and unrest and unhappiness and distress, that we know nothing of in this country, was breaking the heart of England.

This man had above him the motto "We are out to break the Empire." I asked him what he meant by that. He said, "We propose to destroy, root and branch, every existing social, religious, economic, and political institution in the world." That program sounds ridiculous until you recall that a child can light a fire with one match that will destroy a great city.

Now, the one great denial of Russian communism is America, and in searching for an attempt to obliterate this one obstacle to the progress of that malign influence in the world, America, they chose our neighbor, Mexico, as a place to stand. And wherever there is trouble in South America, and wherever there is trouble here, their emissaries will be found

to aggravate the trouble and to increase the difficulties which beset us.

So, Mr. Speaker, I am for standing by the President of the United States in the discharge of his difficult duties in Mexico and Nicaragua and throughout the world. I am for facing the facts as they really exist. I am for continuing the policy that has actuated the American people and the American Government in all the years that have gone by. [Applause.] The question that the people of this country are asking you and me and that we have got to answer is, Are we in this crisis going to stand by the President of the United States in Mexico, or are we going to permit an alien European force to use Mexico for the injury of Mexico and of our own country and stand idly by while the process is going on? Are we for the soviet in Mexico or for the United States in Mexico? That is the choice we must make.

Gentlemen, I am not going to continue trespassing upon your time. I simply say that every right-minded man in this House, every right-minded man and woman in every part and section of this land recognizes that this great Nation of ours—the United States—can not exist without spreading its influence and creating contacts with every country and with every class throughout the world.

Therefore, when our country goes abroad to discharge its duties and defend its rights, we want it to go panoplied in the majesty of strength controlled by justice; of honor unsullied; of courage undimmed. We want America, when she goes abroad, to march under the American flag [applause] and not under the red rag of Russian communism, or, still worse, under the yellow flag—the rottenest on earth—of a pallid and pusillanimous pacifism. [Applause.]

Mr. HUDDLESTON. Mr. Speaker, I ask unanimous consent to address the House for five minutes.

The SPEAKER. The gentleman from Alabama asks unanimous consent to address the House for five minutes. Is there objection?

There was no objection.

Mr. HUDDLESTON. Mr. Speaker, in answer to the discourse of the gentleman from New Jersey [Mr. EATON], I call attention to an editorial in the Baltimore Sun of this morning entitled "Mr. Kellogg's statement":

It is difficult to write moderately of the formal statements made before the Senate Committee on Foreign Relations by Secretary of State Kellogg. For we doubt seriously that ever before in the history of this Nation has the head of the State Department appeared in public in a state of such utterly indecent intellectual exposure.

I am sorry I did not get to the gentleman from New Jersey [Mr. EATON] before he spoke. I esteem him highly and I would like to have warned him against taking his position by the side of the Secretary of State and apparently in a similarly utterly nude condition. [Laughter.]

On yesterday the House Committee on Foreign Affairs met and considered the resolutions relating to Nicaraguan policy. A short hearing was held in which the only witness who appeared was persistently diverted from the main issue. The hearing was quite incomplete; it lasted only a few minutes. A recess was taken in order to decide whether the committee should hold further hearings. A motion was made to invite the Secretary of State to come before the committee in order that he might explain the situation and give such facts, if any, as might be in his possession. The committee promptly refused to invite the Secretary. The committee adjourned without day. The gentleman from New Jersey [Mr. EATON] as a member of the committee was one of the most enthusiastic in supporting the course which the committee took. He was most deeply interested against the committee proceeding with further hearings. The gentleman from New Jersey did not know anything about Mexico or the Nicaraguan situation, and he persistently refused to be enlightened. [Laughter.] The gentleman from New Jersey insisted upon closing his ears to information; he knew no facts and he did not want to know any facts. He comes here this morning and shows not only that his ears and eyes are closed, but that his mind is hermetically sealed. [Laughter.]

Mr. MOORE of Virginia. Will the gentleman yield?

Mr. HUDDLESTON. Yes.

Mr. MOORE of Virginia. While the gentleman from New Jersey did, to my great regret, take the attitude of being deaf and dumb, it should be said that three Republican Members of the committee supported the motion to have the Secretary of State come forward and answer inquiries and state the facts.

Mr. HUDDLESTON. The gentleman from Virginia makes a grave mistake in characterizing the condition of the gentleman from New Jersey as deaf and dumb. [Laughter.] He

is only deaf, not dumb. [Laughter.] That habit is characteristic of many gentlemen in his situation. The less they know the less dumb they are.

The gentleman comes here asserting the unspeakable absurdities voiced by Mr. Kellogg. His argument is, "Boo, the Bolsheviks!" That sort of stuff went out of fashion in this House six years ago. I am sorry the gentleman from New Jersey has not been here so that he might have understood the change in style in piffle. Nobody of intelligence hollows "Boo, the Bolsheviks!" these days.

But the naked gentleman from New Jersey takes his stand with the naked Secretary of State, a pair of noble brothers. [Laughter.]

The SPEAKER. The time of the gentleman from Alabama has expired.

Mr. HUDDLESTON. Sorry I did not ask for more time. [Laughter.]

BRIDGE BILLS

Mr. DENISON. Mr. Speaker, I rise to call up several bridge bills on the Speaker's table on behalf of the Committee on Interstate and Foreign Commerce, and I would like to dispose of them as rapidly as possible.

The SPEAKER. Does the gentleman ask unanimous consent or does he call them up as a matter of privilege?

Mr. DENISON. I think if the Speaker will recognize me for that purpose, they are privileged. They are Senate bills on the Speaker's table, similar bills being on the calendar.

The SPEAKER. Is the gentleman proceeding by direction of his committee?

Mr. DENISON. I can not say that I have received formal directions from the committee, but the committee has authorized me before to take that course with reference to bridge bills.

The SPEAKER. The Chair must be assured that the gentleman is acting by direction of his committee.

Mr. DENISON. Do I understand that hereafter in the disposition of Senate bridge bills in the House, similar House bills being on the calendar, that in order to call them up there must be formal action by the House committee directing it to be done?

The SPEAKER. The House acts upon bridge bills by unanimous consent. Where there is a bill about which there is some controversy the Chair understands that when the bill is called up the Chair must be assured not only that a similar bill has been reported and is on the House Calendar, but that the gentleman is acting under instructions from his committee.

Mr. DENISON. There is only one of these bills upon which there is a controversy, and the committee has by formal action authorized that to be called up. Other bills I desire to call up are bills on which there is no controversy, but the committee has not authorized me to call them up.

The SPEAKER. The Chair will suggest to the gentleman that he ask unanimous consent to take them up.

Mr. DENISON. Then, Mr. Speaker, I will ask unanimous consent to call up these bills.

By unanimous consent, at the request of Mr. DENISON, the following Senate bills on the Speaker's table were severally called up and severally considered, were severally ordered to be read a third time, and severally passed, and a motion to reconsider the vote by which each bill was passed was laid on the table, and similar House bills ordered to lie on the table:

S. 4813. An act granting the consent of Congress to the Minneapolis, Northfield & Southern Railway to construct, maintain, and operate a railroad bridge across the Minnesota River;

S. 4846. An act granting the consent of Congress to Tacony-Palmyra Bridge Co. to construct, maintain, and operate a bridge across the Delaware River at Palmyra, N. J.;

S. 4702. An act granting the consent of Congress to the Kanawha Falls Bridge Co. (Inc.), to construct a bridge across the Kanawha River at Kanawha Falls, Fayette County, W. Va.;

S. 4831. An act granting the consent of Congress to the highway department of Davidson County, of the State of Tennessee, to construct a bridge across Cumberland River at a point near Andersons Bluff, connecting Old Hickory or Jacksonville, Tenn., by way of the Gallatin Pike, with Nashville, in Davidson County, Tenn.;

S. 4874. An act to legalize a bridge across the Fox River in Algonquin Township, McHenry County, Ill., and for other purposes; and

S. 4740. An act granting the consent of Congress to the St. Louis-San Francisco Railway Co. to construct, maintain, and operate a railroad bridge across the Warrior River.

Mr. DENISON. Mr. Speaker, there is now on the Speaker's table the bill (S. 4712) granting the consent of Congress to Meridian & Bigbee River Railway Co. to construct, maintain, and operate a railroad bridge across the Tombigbee River at

or near Naheola, Ala. A similar House bill has passed the Senate. I ask unanimous consent that the bill S. 4712 remain permanently upon the table.

The SPEAKER. The gentleman from Illinois asks unanimous consent that the bill S. 4712 be indefinitely postponed. Is there objection?

There was no objection.

Mr. DENISON. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 14236) granting the consent of Congress to the police jury of Rapides Parish, La., to construct a bridge across Red River at or near Boyce, La., with Senate amendments, and consider the same at this time.

The SPEAKER. The gentleman from Illinois asks unanimous consent to take from the Speaker's table the bill H. R. 14236, with Senate amendments thereto, and consider the same at this time. Is there objection?

There was no objection.

The Clerk read the Senate amendments.

The SPEAKER. The question is on agreeing to the Senate amendments.

The Senate amendments were agreed to.

BRIDGE ACROSS COLUMBIA RIVER BETWEEN LONGVIEW, WASH., AND RAINIER, OREG.

Mr. DENISON. Mr. Speaker, I now call up the bill (S. 3804) granting the consent of Congress to W. D. Comer and Wesley Vandercook to construct, maintain, and operate a bridge across the Columbia River between Longview, Wash., and Rainier, Oreg. The Committee on Interstate and Foreign Commerce of the House by formal action authorized the chairman or anyone whom he designates to move to call up this bill.

The SPEAKER. The gentleman from Illinois calls up the bill S. 3804, which the Clerk will report.

The Clerk read the bill, as follows:

[S. 3804, Sixty-ninth Congress, second session]

Be it enacted, etc., That the consent of Congress is hereby granted to W. D. Comer and Wesley Vandercook, their heirs, legal representatives, and assigns, to construct, maintain, and operate a bridge and approaches thereto across the Columbia River at a point suitable to the interests of navigation, between a point at or near the city of Longview, in the county of Cowlitz, in the State of Washington, and a point at or near the city of Rainier, in the county of Columbia, in the State of Oregon, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906, and subject to the conditions and limitations contained in this act. The construction of such bridge shall not be commenced nor shall any alterations of such bridge be made either before or after its completion until the plans and specifications for such construction or alterations have been first submitted to and approved by the Secretary of War, the Secretary of Commerce, and the Secretary of Agriculture, acting jointly, and they, acting jointly, shall determine whether the types, designs, and specifications thereof are adequate, based upon the proposed use, volume, and weight of traffic passing over such bridge, and whether the height and clearances of such bridge are adequate to protect the commerce on said Columbia River, and whether the location selected is feasible for the erection of such bridge without obstructions in navigation and without being detrimental to the development of interstate and foreign as well as domestic commerce moving to and from the Pacific Ocean on the Columbia River to the inland waters of the States concerned, and whether public convenience will be served by such bridge as a connecting link between the Federal-aid highway systems of the States of Oregon and Washington. The said Secretaries, acting jointly, are empowered and, if requested to do so, are directed to hold public hearings for the full and complete determination of said precedent requirements.

SEC. 2. The said W. D. Comer and Wesley Vandercook, their heirs, legal representatives, and assigns, are hereby authorized to fix and charge tolls for transit over such bridge, and the rates so fixed shall be the legal rates until changed by the Secretary of War under the authority contained in such act of March 23, 1906.

SEC. 3. After the date of completion of such bridge, as determined by the Secretary of War, either the State of Washington, the State of Oregon, any political subdivision of either of such States, within or adjoining which such bridge is located, or any two or more of them jointly, may at any time acquire and take over all right, title, and interest in such bridge and approaches, and interests in real property necessary therefor, by purchase or by condemnation in accordance with the law of either of such States governing the acquisition of private property for public purposes by condemnation. If at any time after the expiration of 20 years after the completion of such bridge it is acquired by condemnation, the amount of damages or compensation to be allowed shall not include good will, going value, or prospective revenues or profits, but shall be limited to the sum of (1) the actual cost of constructing such bridge and approaches, less a reasonable deduction

for actual depreciation in respect of such bridge and approaches; (2) the actual cost of acquiring such interests in real property; (3) actual financing and promotion costs (not to exceed 10 per cent of the sum of the cost of construction of such bridge and approaches and the acquisition of such interests in real property); and (4) actual expenditures for necessary improvements.

SEC. 4. There is hereby conferred upon the said W. D. Comer and Wesley Vandercook, their heirs, legal representatives, and assigns, all such rights and powers to enter upon lands and to acquire, condemn, appropriate, occupy, possess, and use real estate and other property needed for the location, construction, operation, or maintenance of such bridge, approaches, and terminals as are possessed by bridge corporations for bridge purposes in the States in which such real estate and other property are located, upon making proper compensation therefor, to be ascertained according to the laws of such States; and the proceedings thereof may be the same as in the condemnation and expropriation of property in such States.

SEC. 5. If such bridge shall be taken over and acquired by the States or political subdivisions thereof under the provisions of section 4 of this act, the same may thereafter be operated as a toll bridge; in fixing the rates of toll to be charged for the use of such bridge the same shall be so adjusted as to provide, as far as possible, a sufficient fund to pay for the cost of maintaining, repairing, and operating the bridge and its approaches, to pay an adequate return on the cost thereof, and to provide a sinking fund sufficient to amortize the cost thereof within a period of not to exceed 30 years from the date of acquiring the same. After a sinking fund sufficient to pay the cost of acquiring such bridge and its approaches shall have been provided, the bridge thereafter shall be maintained and operated free of tolls, or the rates of toll shall be so adjusted as to provide a fund not to exceed the amount necessary for the proper care, repair, maintenance, and operation of the bridge and its approaches.

SEC. 6. The right to sell, assign, transfer, and mortgage all the rights, powers, and privileges conferred by this act is hereby granted to the said W. D. Comer and Wesley Vandercook, their heirs, legal representatives, and assigns, and any corporation to which such rights, powers, and privileges may be sold, assigned, or transferred, or which shall acquire the same by mortgage foreclosure or otherwise, is hereby authorized and empowered to exercise the same as fully as though conferred therein directly upon such corporation.

SEC. 7. The said W. D. Comer and Wesley Vandercook, their heirs, legal representatives, and assigns, shall, within 90 days after the completion of such bridge, file with the Secretary of War a sworn itemized statement showing the actual original cost of constructing such bridge and approaches, including the actual cost of acquiring interests in real property and actual financing and promotion costs. Within three years after the completion of such bridge the Secretary of War shall investigate the actual cost of such bridge, and for such purpose the said W. D. Comer and Wesley Vandercook, their heirs, legal representatives, and assigns, shall make available to the Secretary of War all of their records in connection with the financing and construction thereof. The findings of the Secretary of War as to such actual original costs shall be conclusive.

SEC. 8. The right to alter, amend, or repeal this act is hereby expressly reserved.

Mr. DENISON. Mr. Speaker, the gentleman from Oregon, Mr. CRUMPACKER, and the gentleman from Oregon, Mr. SINNOTT, I understand, are opposed to this bill, or desire to offer some amendments. I have no objection to their offering amendments in the time that I have at my disposal.

Mr. SINNOTT. Mr. Speaker, will the gentleman yield for a question?

Mr. DENISON. Yes.

Mr. SINNOTT. Will the gentleman object to a unanimous-consent request to consider the bill in the House as in Committee of the Whole?

Mr. DENISON. Yes; I shall object to that. I propose to divide the time fairly, and I shall yield such time to the gentleman from Oregon, Mr. CRUMPACKER, and the gentleman from Oregon, Mr. SINNOTT, as they may wish, not to exceed 30 minutes altogether.

Mr. SINNOTT. With the understanding amendments may be offered while we are discussing the bill.

Mr. DENISON. Mr. Speaker, in answer to that suggestion I will state that I want to be perfectly fair about this, as they say they want to offer an amendment or two. I am willing for them to offer amendments, or present them to the House during the time I yield to them merely for the purpose of presenting the amendments, and at the end of the hour I propose to move the previous question on the bill and all amendments, not to lose control of the time or the floor myself.

Mr. DOWELL. The time is no longer in the gentleman's control when he yields for amendment.

Mr. DENISON. Mr. Speaker, if there is any question about the propriety of proceeding under the rule—

The SPEAKER. The Chair thinks, if the gentleman will pardon him, that if he yields to any gentleman to offer an amendment he yields the floor in so far as that is concerned, and the gentleman controls the floor on that amendment.

Mr. SINNOTT. That arrangement is satisfactory to the opponents of the bill.

The SPEAKER. The Chair suggests he ask unanimous consent.

Mr. DENISON. I was going to do that. Mr. Speaker, I ask unanimous consent that during the time which I yield out of my own time to gentlemen they may be permitted to present amendments, not to exceed two, as I understand.

Mr. SINNOTT. Oh, yes; there are others, but they are short.

The SPEAKER. Does the gentleman mean amendments shall be voted on during the time occupied hereafter?

Mr. DENISON. No; my unanimous-consent request is that they may offer amendments during the time allowed for information of the House during the time I yield to them, and not for the purpose of voting on them.

Mr. DOWELL. And the gentleman not yielding the floor?

Mr. DENISON. At the close of the debate I shall move the previous question on the bill and all amendments.

The SPEAKER. The gentleman from Illinois asks unanimous consent that during the time that he yields of his own hour to gentlemen they may be permitted to offer and discuss amendments, the amendments to be voted on at the conclusion of the hour, the gentleman from Illinois to retain the floor. Is there objection?

Mr. CHINDBLOM. Mr. Speaker, reserving the right to object, the amendments will be offered, of course, under the usual rules in reference to germaneness and other points of order that may be raised against them.

The SPEAKER. Certainly. Is there objection to the request of the gentleman from Illinois? [After a pause.] The Chair hears none.

Mr. DENISON. Mr. Speaker, I yield 10 minutes to the gentleman from Oregon [Mr. CRUMPACKER].

Mr. CRUMPACKER. Mr. Speaker, I ask unanimous consent that I be notified when 10 minutes have expired. I ask unanimous consent to revise and extend my remarks.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. CRUMPACKER. Mr. Speaker, I offer the following amendment.

The SPEAKER. The Clerk will report the amendment.

Mr. CRUMPACKER. Mr. Speaker and gentlemen of the House, this is not an ordinary bridge controversy. I now desire to offer an amendment to section 1 of the bill, which I will ask the Clerk to read.

Amendment submitted by Mr. CRUMPACKER: Add at the end of section 1 the following: "Provided, Should the State Highway Commission of Oregon, or the State Highway Commission of Washington, or any municipal corporation, or any port commission of either the State of Oregon or the State of Washington be dissatisfied with the decision of the Secretaries of War, Agriculture, and Commerce relative to the height or the clearance or any other detail of the bridge permitted to be constructed under the terms of this act, and should said highway commissioners, municipal corporations, or port commissions, either jointly or severally, protest against the decision rendered, and agree to pay the amount of money necessary to increase the height, or the width, or the capacity, or to change the construction of the bridge in any other detail which is not satisfactory to the protestant or protestants, over and above the amount necessary to construct said bridge in accordance with the decision of the Secretaries of War, Agriculture, and Commerce, then and in that event the said Secretaries shall require the grantees to construct the bridge in such a way as shall conform to the reasonable demands of the protestant or protestants, who have agreed to pay the difference in cost. The difference in cost shall be as mutually agreed upon between the grantees under this act and the party or parties proposing the change and offering compensation therefor, and should they fail to agree, then the amount of money to be paid and the time for the payment thereof shall be determined by the Chief of Engineers, United States Army, acting as referee, in case of failure to pay said money in full at the time fixed by the Chief of Engineers, then and in that event this proviso shall be null and void: *Provided, however,* That the money contributed for any changes or alterations shall not be capitalized by the grantees for the purpose of increasing tolls nor shall said money to be taken account of as an original cost should the recapture of the bridge be undertaken as otherwise provided for in this act, but all moneys so contributed shall be considered public appropriations for public benefit."

Mr. DENISON. Mr. Speaker, if the gentleman will excuse me—

Mr. CRUMPACKER. May I suggest that my time is very much limited, and I would like to continue without interruption, if the gentleman pleases.

Mr. DENISON. I was addressing the Speaker. Mr. Speaker, I want to reserve a point of order on the amendment and did not want to lose that right.

Mr. JOHNSON of Washington. It is understood that all points of order are reserved.

Mr. CRUMPACKER. Mr. Speaker and gentlemen of the House, this bill proposes to grant to two private individuals the authority to construct, maintain, and operate a privately owned toll bridge across the Columbia River between the points of Long View, Wash., and Rainier, Oreg. The Columbia River is the second largest navigable river in the United States, second only to the Mississippi River. The bill, among other things, provides that the plans and specifications of the bridge must be submitted to a commission composed of three Secretaries, those of War, of Agriculture, and of Commerce, who shall pass upon the heights and clearances of the bridge. The bill provides for the collection of tolls by these private individuals. It also provides for a recapture clause that has been standardized by the committee in this session of Congress. Now, I want to call the attention of the House to the physical properties and the surrounding circumstances in and around the Columbia River and the city of Portland and Multnomah County, Oreg., which I have the honor and privilege to represent here, and that portion of the territory known as the Columbia River Basin, with its 275,000 square miles of area, which takes this legislation out of the classification of the ordinary bridge bill which comes here for consideration and are passed in job lots on consent days in the House. The city of Portland was the pioneer in the development of that river. Had it not been for the city of Portland there would not have been any channel to-day from Portland to the sea.

The city of Longview, backed by the Long-Bell Co., of Kansas City, Mo., the real party in interest, now proposes to build a bridge half-way between Portland and the Pacific Ocean spanning the Columbia River, and my people at home are justified and have been justified in asking for a participation in the construction of this bridge.

That is why this amendment is offered. I mean to cast no reflection on the ability, the integrity, and the honesty of purpose of the Secretaries named in this bill; but when a community like the city of Portland, which has expended \$28,000,000 in opening and maintaining the river channel from Portland to the sea and in construction of shipping facilities, and when the Federal Government has expended \$22,000,000 for this purpose, we believe that not only the interests of Portland but of the entire uplying country, which will be jeopardized in case any possible obstruction is put across the river, are entitled to consideration.

Gentlemen of the House, I wish you to take into consideration the amendment. What do we propose here? We propose that if the Secretary finds the plans and specifications are not satisfactory to the State Highway Commission of Oregon or of Washington or of the city of Portland or any other municipal body in either State, they can protest against the ruling and submit additional plans and specification increasing the height and clearances and pay the additional cost which will result therefrom.

Can anything be fairer than that? That payment is to be public donation for a public benefit. That is the sense of the amendment, which is without doubt well taken. Perhaps you do not realize what is involved. A great many of you have not had the good fortune to have gone into the Pacific Northwest and to have seen the tremendous possibilities of that country. I am particularly fortunate, having been born in the West and educated in the East, in making the West my home, and I realize the possibilities of that great northwest country. Its development should not be retarded in the slightest.

This bill does not apply to Portland alone, my friends; it is not a local issue. It is a national issue, as well as a State issue. Let me read to you a memorial which I received from the Oregon State Legislature only a day or so ago:

SALEM, OREG., January 11, 1927.

HON. MAURICE E. CRUMPACKER,

Representative in Congress, Washington, D. C.:

By direction of the Thirty-fourth Legislative Assembly of the State of Oregon I have the honor to transmit the following senate joint memorial:

Senate Joint Memorial 1

To the honorable Senate and House of Representatives of the United States of America in Congress assembled:

We, your memorialists, the Senate of the State of Oregon, the House of Representatives concurring, respectfully represent and petition as follows, to wit:

"Whereas the entire State of Oregon is vitally interested in the port of Portland as the main outlet and inlet of its products and commerce, and the erection of a bridge across the Columbia River between

Portland and the sea, if not properly constructed as to height and clearances, would seriously jeopardize the interests of this State in limiting and impeding the movement of its shipping, resulting injuriously to the business and prosperity of the State; and

"Whereas there is now pending a bill in the House of Representatives of the Congress, which has already passed the Senate, authorizing the erection of a bridge across the Columbia River at Longview, Wash., and the port of Portland has requested an amendment which, if adopted, would permit the port of Portland, if it believed that the specifications approved by the Secretaries of War, Commerce, and Agriculture might jeopardize the interests of said port of Portland, to pay the difference between the cost of a bridge built according to such specifications so approved and the cost of a bridge of the height and clearances reasonably desired by said port of Portland; and

"Whereas it is desirable that not only all reasonable safeguards be provided, but that even extraordinary precautions be taken that the interests of this State may be properly guarded and cared for: Now, therefore,

"Your memorialists respectfully beg leave to pray and petition that the amendment proposed in the House of Representative by the Oregon Representatives, and all other safeguards requested by the Oregon congressional delegation, may be incorporated in the measure now pending before the Congress, or in any other measure which may be proposed.

"Resolved, That the secretary of state be, and he is hereby, directed to forthwith transmit this memorial by telegraph to the Speaker of the House of Representatives and the Vice President of the United States as President of the Senate, and to each of the Senators and Representatives in Congress and from the State of Oregon."

Adopted by the senate January 11, 1927.

HENRY L. CORDETT,
President of the Senate.

Adopted by the house January 11, 1927.

JOHN H. KARKIN,
Speaker of the House.

Filed in the office of the secretary of state January 11, 1927.

Respectfully,

SAM A. KOZER,
Secretary of State.

The entire State of Oregon, with a few minor exceptions, are vitally interested in keeping the river open and free from any obstructions to navigation. This memorial manifests that universal sentiment of the State at large, as it is realized by people knowing the local conditions that the entire State, as well as the hinterland, is dependent upon the free and untrammelled use of the Columbia River.

It was only recently that I received the following communication from the Central Labor Council and Building Trades Council of Portland, Oreg., which will give the House some idea of the vital interest the entire community has shown in this matter:

HON. M. E. CRUMPACKER,
Care of Oregon Delegation,

House of Representatives, Washington, D. C.

Whereas there is now pending in Congress known as H. R. 11608 granting consent of Congress to W. D. Comer and Wesley Vandercook to construct a bridge across the Columbia River between Longview, Wash., and Rainier, Oreg., and whereas said bill if passed as presently drawn might result in a bridge which would in our opinion seriously hamper if not entirely prevent the future development of the city of Portland as a port of entry for large ocean-going vessels because of insufficient clearance between piers and height above high-water levels and whereas our interests along with others making their home and living in the city are therefore seriously menaced, now, therefore be it resolved that the Central Labor Council and the Building Trades Council of Portland does hereby request all friends of organized labor now in Congress to assist in having the above bill referred back to the proper committee for the consideration of certain amendments which will be offered by representatives of the city of Portland for the purpose of safeguarding the interests of Portland and the State of Oregon and the millions invested by the people of Portland in the Columbia River Channel, and be it further resolved that copy of this resolution be wired to our Representatives in Congress and to Frank Morrison, Secretary of the American Federation of Labor, with the request that the legislative representatives of the American Federation of Labor be asked to convey the above request to friends of labor in Congress.

GUST ANDERSON,
Secretary, Central Labor Council.
B. R. MATHIAS,
Secretary, Building Trades Council.

This communication expresses the sentiment of an important element of the city, as they realize the tremendous damaging effect which would occur should a bridge of insufficient height and clearance be allowed to be constructed at any point between Portland and the sea.

Only recently in convention assembled in this city at the second annual convention of the National Rivers and Harbors Congress, representing practically every State of the American Union, the following resolution declaring that body's sentiment on obstruction of navigable waters of the country was promulgated:

The navigable waters of the United States are national highways and the public therefore have the right to navigate them with the least obstruction to traffic. No obstruction to navigation should be permitted either by the construction of bridges or by any other impediment. We therefore urge upon the proper authorities that no permits be issued for the construction of bridges which in any way limit, obstruct, or impair navigation.

The editorials from the leading newspapers of the city of Portland, particularly the Portland Oregonian, the oldest newspaper in the Pacific Northwest, the Oregon Journal, and the Portland Telegram, all newspapers of wide circulation and influence have expressed the sentiment of the community repeatedly throughout this entire controversy as being extremely fearful lest some obstruction be placed across the river that might ultimately jeopardize the tremendous export and import business of that rapidly developing and growing port. Frank M. Warren, president of the port of Portland; Raymond B. Wilcox, president of the Portland Chamber of Commerce; E. B. MacNaughton, and Frank L. Shull, chairman of the special committee of one hundred public-spirited citizens of the city, have only recently communicated their expression as being entirely favorable to the spirit of the amendment authorizing Portland's participation in the construction of a bridge.

There is a clause in the bill which is, to my mind, fundamentally fallacious. The Congress, if it enacts this legislation, authorizes two private individuals to construct a connecting link in the public highway systems of the two great States of Oregon and Washington. Millions of dollars of State and Federal money have been spent in the highway program of those States, and at the present time there exists practically a continuous hard-surface road from the Canadian line to the Mexican border. I believe it fundamentally wrong to authorize two individuals, guising primarily as promoters, to be allowed to capitalize this tremendous investment and charge tolls for the use of approximately 1 mile of what would be in practical effect the highway system.

The public highways act precludes the charging of tolls on public highways of the country receiving Federal aid. A recent ruling of the Comptroller General denies Federal participation in the construction and maintenance of the portions of the public highway system which have for their purpose the leading directly to bridges connecting up the highway systems of the country. How far this ruling will be extended in case this bridge is constructed and how much of the Federal highway system of Oregon or Washington may possibly be denied Federal aid under this ruling is a matter of conjecture at this time. I do not want to be placed in the position in any manner of jeopardizing what possible Federal assistance we can get in the Northwest in aiding this great program. As I have shown, we have contributed much more than our share in local and State development. We have not had the advantage particularly as to river and harbor development that the Southern and Eastern States have had in receiving entire Federal aid for the promotion of their projects. We have met the Federal Government at all times on a participation basis, and I am fearful that this clause may cause a loss not only to Oregon but to the State of Washington of Federal aid in the future.

The policy of authorizing private toll bridges to be constructed creating a connecting link in the public highway system is wrong and should not be encouraged by this Congress. The following resolution was adopted by the American Association of State Highway Officials at its twelfth annual convention at Pinehurst, N. C., on November 8 last year:

Whereas there should be removed from the public highways every barrier to the free and expeditious movement of local and farm-to-market traffic, as well as State and interstate traffic thereover; and

Whereas the existence of private toll bridges at major stream crossings and at strategic points on the public highways of or between many of the States interposes such a serious barrier to and imposes such a burden upon the movement of traffic over such highways that the rapidly increasing number of such toll structures has become a matter of serious concern; and

Whereas no effective legal means is now provided by which the States can exercise any adequate measure of control over the erection and operation of such toll bridges, authorizations therefor being now granted by special acts of the Congress, with no provision for supervision by any Federal or State agency from the standpoint of traffic requirements to insure the suitability of location and adequacy of design and construction: Now therefore be it

Resolved, That it is the sense of this association that the erection of private toll bridges on the public highways, particularly on those highways embraced in the systems of the State and Federal aid highways in general, can not be justified and should not longer be tolerated: Be it further

Resolved, That although recognizing that in some instances involving the erection of large bridge structures at costs in excess of the public funds which reasonably may be applied thereto the construction and operation of such structures as toll bridges may be justifiable, it is nevertheless the sense of this association, first, that in each such case the bridge should be built, owned, and operated by the State or its political subdivisions and the tolls applied to amortizing or reimbursing the cost thereof, after which such tolls should be abolished; and, second, that in no such case should the bridge be built, owned, and operated as a private toll bridge unless the State or its political subdivisions should not be in position to finance its construction and operation, and that with respect to private toll bridges so to be erected the law of Congress authorizing the same should provide, among other things, that from the standpoint of the highway traffic the location, design, plans and specifications, contract, the actual construction work, the regulation of traffic, and the tolls to be charged for or on each such bridge wholly within one State shall be subject to approval by the proper authorities of such State, and in the case of any such bridge between two or more States such approval should be by the proper authorities of all such interested States, or should be by such Federal agency as the Congress may designate in the event of disagreement or inability or failure on the part of such interested States, or any of them, to give such approval, and that no tolls may legally be collected from traffic over such private structure unless the approval so required shall have been obtained: Be it still further

Resolved, That it is the sense of this association that each authorization for the construction of private toll bridges on public highways should limit the tolls that may be collected to not exceed such as will meet the actual necessary operating and maintenance costs and yield a prescribed reasonable annual return on the actual cost of the bridge; that any amount in excess thereof which the tolls charged may yield should be deposited in a special trust fund and be available for use by the State or its political subdivisions in acquiring such privately owned toll bridge; that the State or its political subdivisions should be given the right and the power to acquire such privately owned toll bridge at any time from the date such bridge is opened to traffic and on a basis that will be fair alike to the owners and to such State or its political subdivisions: Be it still further

Resolved, That the executive committee of this association be, and it hereby is, instructed to take such action as it may deem appropriate for securing the enactment of legislation embodying the foregoing principles.

This resolution is on all fours with my objection to this provision of the bill, and I firmly believe that we are continuing a policy in this regard which can only do ultimate damage to our general highway program.

The good faith of Portland in its strenuous fight, lasting over a period of years, against legislation of this character has been questioned. This criticism has not emanated from the distinguished gentleman from Washington [Mr. JOHNSON], who has urged the passage of this legislation. His attitude has been eminently fair, as has also the attitude of the distinguished chairman of the Interstate and Foreign Commerce Committee [Mr. PARKER], and the able gentleman, the chairman of the subcommittee on bridges of the general committee, Mr. DENISON, of Illinois. I want to take this opportunity of expressing my personal appreciation for the kindly attitude and spirit of cooperation that these gentlemen have manifested throughout this Congress; but there have been forces at work attempting to discredit Portland's opposition to this proposed legislation. The reason particularly assigned for our opposition has been the possibility of the diversion of surface vehicular traffic from Portland. I deny that this sentiment exists. Last summer, while at home, I made it my personal duty to survey the sentiment of the city upon this particular question, and I can honestly say at no time did any individual express his opposition to the construction of this bridge to me because of the possible diversion of surface traffic. The only feeling that exists in the city and in Multnomah County and the upland territory is the fact that our shipping may be jeopardized. That is why I have offered this amendment, which I hope the House will accept. It shows on its face the good faith of my people, who have struggled over a period of years to develop that general country not only for selfish reasons but in an altruistic spirit. We realize that we can not develop as a city without assisting the surrounding country. Portland is particularly a distributing point and can not exist without the assistance of the surrounding territory. The tremendous growth of our shipping is manifested by the actual records during the year 1926. The port's trade totals 4,940,000 tons, of the value approximating \$277,735,591, of

which approximately \$80,000,000 was in foreign trade and \$197,735,591 was domestic commerce. In foreign trade alone 1,675,531 tons were shipped out of the port, of the value of approximately \$67,504,379, and imports amounting to approximately 125,437 tons, of the value of approximately \$12,000,000. There was more lumber, more wheat and flour, and more canned and dried fruits and more apples shipped to foreign lands than ever before shipped in the history of the port. The forecasts are that 1927 will be another big year and that there is every indication that the foreign commerce of the port will continue to grow. We are expecting additional steamship lines serving foreign ports, which will be attracted to the port of Portland during the present year. There is little realization of the tremendous expenditure and wide diversity upon the part of individuals who have not made it a special study. Can it be said that a community is provincial and desires to obstruct progress when its only request is that it be allowed to participate actively and officially in the construction of any bridge which might effect this tremendous growth? Our position is essentially well taken in this amendment which I have submitted, and I hope that the gentlemen of the House see fit to adopt it. I expect to vote against this bill in its final passage because I am opposed to certain policies established in its language; but I want to urge upon the House to-day, with all the sincerity within me, that Portland be allowed to continue on its course of altruistic and unselfish activity in the promotion of that great Pacific Northwest territory.

The SPEAKER pro tempore. The gentleman has consumed 10 minutes.

Mr. DENISON. Mr. Speaker, I will myself take 10 minutes, and will be glad to be notified at the end of 10 minutes.

The SPEAKER pro tempore. The gentleman from Illinois is recognized for 10 minutes.

Mr. DENISON. Mr. Speaker and gentlemen of the House, as chairman of the subcommittee on bridges, I do not want to be understood as taking any partisan interest in this matter further than that I am interested in orderly legislation, and naturally I am interested in trying to get enacted into law a bill which the Committee on Interstate and Foreign Commerce, of which I am a member, has reported favorably to the House and which is now on the calendar.

Let me give the Members of the House briefly the history of this proposition. In a former Congress these same parties had a bill introduced through their Representatives from Washington for a franchise to build a bridge across the Columbia River. The bill was favorably reported to the House and was passed by the House, and went to the Senate, and on the floor of the Senate an amendment was put on the bill requiring that before the bridge could be constructed it must be approved by the highway department of the State of Oregon and also by the highway department of the State of Washington. The House consented to that amendment remaining in the bill, and the bill became a law. Then the plans were completed and submitted to the Highway Department of the State of Washington and received the approval of the highway department of that State; but when presented to the highway department of the State of Oregon the plans were not approved. The State of Oregon was opposed to the bill, and their highway department, of course, refused to approve the plans and the franchise died.

Meantime the State of Oregon passed a law creating the port of Portland, and providing that no bridge or other structure could be built across the Columbia River at Portland or between Portland and the sea without the consent of the port of Portland, and Portland is 100 miles from the sea; in other words, the State of Oregon, through its legislature, enacted legislation which purported to take over complete control of the Columbia River from Portland to the sea, a distance of 100 miles. Of course, that act is unconstitutional, but it merely reflects the attitude of the State of Oregon with respect to the Columbia River and the attitude of the city of Portland with respect to this bill.

Mr. JOHNSON of Washington. Mr. Speaker, will the gentleman yield there?

Mr. DENISON. Yes.

Mr. JOHNSON of Washington. The gentleman says that the act of the Oregon Legislature is unconstitutional.

Mr. DENISON. Yes.

Mr. JOHNSON of Washington. As a matter of fact, the people on the Washington side have raised the issue by offering to Congress to construct a bridge on certain conditions?

Mr. DENISON. Yes. Our subcommittee had very full hearings on this bill. Representatives of both sides came here from Portland and from Washington, and each side presented its case. The committee after full hearings decided to favor-

ably report the bill, and it has been on the Consent Calendar all during this Congress since the hearings were completed. It could not be passed because objections were raised by the gentleman from Oregon [Mr. CRUMPACKER].

I may say in this connection that the gentleman from Oregon [Mr. CRUMPACKER] has been very diligent in what he considers to be his duty to protect the city of Portland and to represent the views of his constituents in the city of Portland, and we understand clearly that that city is opposed to the construction of any bridge whatever over the Columbia River between the city of Portland and the sea.

Now, in the Senate a different rule prevails. When a similar bill was filed there, the Senate committee had hearings also, and both parties went before the Senate committee and presented their case; after full hearings the Senate committee approved an amendment to the bill, based on an agreement between the parties who were opposed to the bill and those who were asking for the bill; that agreement provided that before the bridge should be built it should be approved not only by the Chief of Engineers and the Secretary of War, as is the case now with respect to all bridges constructed in this country over navigable waters, but that it should receive also the approval of the Secretary of Commerce and the Secretary of Agriculture.

In other words, under the Senate amendment the plans of the bridge, before it can be constructed, must receive the approval of the Secretary of Agriculture; that is, the Bureau of Roads; also the approval of the Secretary of Commerce, who has the special duty of protecting the commerce of this country; and the approval of the Chief of Engineers of the Army and the Secretary of War. The Senate committee put that amendment in the bill because they understood it would meet the objections to the bill and allow the bill to become a law. Afterwards, it seems, the amendment did not meet their objections; their objections persisted; but finally the bill came up in the Senate, passed the Senate, and has now been lying on the Speaker's table for some weeks.

I want to say this, speaking on behalf of the subcommittee on bridges: I do not think the provision requiring the plans of the bridge to be approved by the Secretary of Commerce and the Secretary of Agriculture has any proper place in the bill, and if it had been left to our committee we would not have permitted it to remain in the bill; but it was the desire of the parties who were interested to put it in as a matter of mutual agreement in order to facilitate the legislation. So the Senate committee put it in and our committee said, "Well, we will not interpose any objection to it if it will enable the bill to become a law."

As I stated on the floor the other day, when this question was up for discussion on a point of order, I personally will not consent to such a provision going in any other bills in the future.

Mr. DOWELL. Will the gentleman yield for a question?

Mr. DENISON. Yes.

Mr. DOWELL. These bridges are built over navigable streams?

Mr. DENISON. Yes.

Mr. DOWELL. Is it not a very proper thing for the Secretary of Commerce to have a voice in the construction of a structure across a navigable stream and, on the other hand, when such a bridge is built as a part of the Federal highway system, has not the Bureau of Roads an interest sufficient that the Secretary of Agriculture should be consulted with reference to the construction of the bridge?

Mr. DENISON. I do not think it is necessary at all. I think we may very well leave the engineering question that is involved in the construction of a bridge to the engineers in charge of its construction and to the Chief of Engineers of the United States Army, who is, perhaps, the best authority in this country upon such questions; and, besides, under the general bridge law passed in 1906, before any bridge can be built over any navigable waterway of the United States, the plans and specifications must be submitted to the Chief of Engineers; hearings are held where necessary; the plans are all examined from an engineering standpoint, and then it is his duty to protect the interests of commerce, the interests of navigation on the river; that duty has been especially assigned to him by Congress, and he has been performing it all of these years and has done his work well.

Mr. MILLER. Will the gentleman yield?

Mr. DENISON. Yes.

Mr. MILLER. They must be approved by the Chief of Engineers?

Mr. DENISON. Certainly, and by the Secretary of War. They are the special guardians created by Congress to protect commerce on the waterways of the country.

Mr. ELLIS. Will the gentleman yield?

Mr. DENISON. Yes.

Mr. ELLIS. But the propriety or impropriety of these additional precautions is not involved in this bill.

Mr. DENISON. No; that is not involved now, but there is involved the propriety of the action proposed by the amendment offered by the gentleman from Oregon [Mr. CRUMPACKER]. He has offered an amendment which proposes that the plans for this bridge must not only be approved by these three Cabinet members, but if the people of Portland are not satisfied with the conclusions of the three Cabinet members they want the right to come in and contribute some money and have the bridge constructed in a different way from the manner in which the men who are building it want to build it, and in a different manner from that which has been approved by the three Cabinet officers. They want to put such a provision in as an amendment to the bill; our committee would never have reported the bill to the House with such an amendment in it. [Applause.]

The SPEAKER pro tempore. The time of the gentleman from Illinois has expired.

Mr. DENISON. Mr. Speaker, I yield 20 minutes to the gentleman from Oregon [Mr. SINNOTT].

Mr. SINNOTT. Mr. Speaker, I send several amendments to the Clerk's desk, and I ask the Speaker to notify me when I have used 15 minutes.

Mr. Speaker, the people of the State of Oregon and the great inland empire do not criticize this bill with any spirit of animosity toward the town of Longview. When Longview was started on the banks of the Columbia River on a channel made by the people of Portland, they contributing \$9,000,000 and the Federal Government contributing only \$6,000,000, we welcomed the foundation of that town. The record shows that we supplied them with our dredges. The port of Portland gave them her dredges to use. The use of those dredges saved them over \$1,000,000, but when Longview demands the right, as we think they have in this bill, to destroy the great harbor of Portland, the only access to the sea from the States of Oregon, eastern Washington, Idaho, Wyoming, and Montana, we say to them, "You shall not pass." We say to them in my colleague's amendment, "Your bridge will largely imperil our harbor. We are willing to go down into our pockets," we say through his amendment, "and put up the additional money with which to raise this bridge higher." We say in that amendment, "Let the Secretary of War determine whether our requests are reasonable or not." The Secretary of War, if we can not agree with the Longview people, fixes the amount we have to put up; he fixes the time, and under that amendment we have to pay that money in full to the parties who propose to build this bridge. If we do not put up that money, that provision becomes null and void. What could be fairer than that?

Our desire is to protect our great heritage in the Columbia River. Our desire is to protect the only port we have for what we call this great inland empire.

Some of you may not have an idea of the importance of this port and may think that this is perhaps like the ordinary bill providing for a bridge over a navigable river. This river, for all practical purposes, is the sea, because the port is reached through the medium of the river. In order that you may have some idea of the importance of this port, let me tell you that the report of the Chief of Engineers for the year 1925 reports on 300 ports in the United States. Of these 300 ports, Portland stands among the first 18 or 20 in importance in the matter of tonnage. In other words, there are only about 18 or 20 ports in the United States having a greater accredited tonnage than the port of Portland for the year 1925. We are accredited in this report with 7,770,818 tons, with a value of \$291,298,587.

The tonnage of Portland is practically the same as Seattle. Portland, Oreg., has three times the tonnage of Portland, Me., one-half the tonnage of Boston Harbor. Are you surprised that we want to protect that port? It has three times the tonnage of Charleston, S. C., a little less than one-third the tonnage of the great city of Philadelphia, twice the tonnage of Providence, R. I., a little less than one-half the tonnage of the port of Baltimore, twice that of all the harbors of the State of Connecticut, about one-half the tonnage of Norfolk. We have practically the same tonnage as Newport News, more than one-half the tonnage of New Orleans, 1,000,000 tons more than Galveston, Tex., seven times the tonnage of New Bedford, Mass., three times that of Savannah, Ga., twice that of Jacksonville, Fla., three times that of Miami, Fla., twice that of Tampa, Fla., two and a half times that of Pensacola, Fla., almost twice that of Texas City, three times that of Oakland, Calif., and twice that of Tacoma, Wash.

These figures may give you some idea of the great port we are trying to protect. You propose now to build a bridge there at a height of 155 feet, where the water fluctuates 20 feet. The Columbia River at my town, 100 miles above this place, rose 60 feet in the 1894 high water. Down at this point of Longview the Columbia River rises 20 feet. This height would only give us a clearing of 135 feet if this bridge is built as proposed.

You say to us, "Why not leave it to the War Department?"

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Craven, one of its clerks, announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11616) entitled "An act authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes."

The message also announced that the Senate insists upon its amendments to the bill (H. R. 14557) entitled "An act making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1928, and for other purposes," disagreed to by the House of Representatives, and agrees to the conference asked for by the House on the disagreeing votes of the two Houses thereon, and had appointed as conferees on the part of the Senate Mr. WARREN, Mr. SMOOT, Mr. OVERMAN, Mr. MOSES, and Mr. HARRIS.

BRIDGE ACROSS COLUMBIA RIVER BETWEEN LONGVIEW, WASH., AND RAINIER, OREG.

Mr. SINNOTT. This message just received and read from the Senate shows that one day we are trying to improve our harbors and the next day we are trying to destroy them.

Mr. Speaker, why are we so greatly concerned in this matter? The gentleman from Washington [Mr. JOHNSON] has referred to the testimony of General Taylor, where General Taylor said he thought all navigation would be protected with the possible exception of a half dozen ships or a dozen ships that might come there occasionally.

Think of it; they are asking us to shut out our harbor and our port to a dozen ships. Think of it! What other port among the first 20 ports of the United States would complacently submit to such an outrageous demand?

What are you doing in New York? There is a bridge to be built across the Hudson River at One hundred and seventy-eighth Street. This bridge is a suspension bridge 200 feet in height. Over at Vancouver, British Columbia, they are demanding a bridge 200 feet high. Over at Seattle, Wash., one of our competitive ports, Seattle is demanding across Lake Washington that the bridge must be 200 feet high. All we are asking in this amendment is security for our port of Portland.

I have introduced an amendment providing that the Secretary shall pass upon the necessity of this bridge. The reason for that is that the Longview people say that a bridge that will protect the Portland Harbor, according to our opinion, will be too expensive. We want the board to pass upon the necessity, the comparative necessity, of the demands of Longview and the comparative necessity of the demands of Portland and the people of the great inland empire of these five States to protect this bridge. That is all we are asking. We want the three Secretaries to weigh and compare the necessities of our harbor and those of Longview.

We show in the hearings, the ship captains show, that a number of ships can not go up this harbor if the bridge is built as proposed. We say in the amendment of the gentleman from Oregon [Mr. CRUMPACKER] that if Longview can not afford to build the bridge 10, 20, 30, or more feet higher, we are willing to put up the money and donate it to these people who are asking for this bridge. That is what we are doing by virtue of this amendment. Could anything be fairer? Why, to oppose this fair, just, and liberal offer seems to me, and I say it in all charity, to be a dog-in-the-manger proposition. I marvel at Portland's fairness and generosity in making this offer. However, it shows her intense interest in her great port.

We say in that amendment that this money is donated, but it is not to be capitalized when you come to charge toll.

We could not go into these matters before the committee. Here is what the gentleman from Illinois [Mr. DENISON] stated:

This committee, as we understand our duty, concerns itself with the general desirability or undesirability of having a bridge over a river for the use of the public.

That is about all the committee considered. We would like to have the board provided for in this bill go into the matter of necessity, not the absolute necessity. That is not the definition of the word "necessity."

Here is the kind of necessity we are referring to, and I read from Words and Phrases, volume 4, second series, page 16:

The word "necessity" does not mean absolute but only reasonable necessity, such as would combine the greatest benefits to the public with the least inconvenience and expense to the condemning party—

And so on.

It is not an absolute necessity; certainly not. Why, we require, according to section 541, page 1078 of the new Federal Code, before we can have any river improvements, that the Board of Engineers must pass upon the public necessity of the work. If they are to pass upon the public necessity for the improvement of a river or harbor, why not ask them to pass upon the public necessity for the blocking of a river? One is as fair as the other.

Another amendment I have offered is to insert in this bill, in section 6, after the word "mortgage," the provision, "without profit."

Why do I do that? This is a most valuable franchise. Fifty miles above the river is a Vancouver bridge, built in 1917, at a cost of \$1,683,556.32. That bridge has paid a net income since that time, to December 31, 1925, of \$2,619,163.02. Up to this time that bridge, costing \$1,600,000, has paid, over all expenses, more than a million dollars. And yet this bill proposes to grant to two promoters—and I use the word advisedly—one an investment banker and the other a representative of one of the biggest timber owners the United States ever knew, a franchise over this river, a valuable franchise, giving them the right to sell and assign it without any restrictions as to price and profit.

What is the value of this franchise to be granted to Messrs. Comer and Vandercook? They come within the definition of promoters, according to Words and Phrases:

A promoter is a term not of law but of business; one who seeks an opportunity for making advantageous purchases and profitable investments in industrial corporations and interesting men of means in such a project and when found organizing them into corporations for the purpose of taking over the project.

That is what the testimony shows that these people propose to do. You have the word "promotion" written twice in the bill. When the bridge is built and the counties take over the bridge, as they are authorized to do in the act, what does it provide? That these promoters, an investment banker and a representative of the big timber company, may charge 10 per cent of the cost of the bridge for "promotion purposes." Think of it! Think of a bill coming out of a committee of the House authorizing two promoters to charge 10 per cent of the cost of the bridge for their own financial aggrandizement.

The testimony before the House and Senate committees shows that the bridge is going to cost \$3,000,000. It was stated on the floor of the Senate that the bridge would cost over four or five million dollars. And yet when these counties on each side of the river or any other municipality takes this bridge over, under this bill they can be mulcted for from three hundred to five hundred thousand dollars to compensate these two promoters.

The State of Oregon was solicitous and apprehensive about the plans of this bridge and would not agree to them. Who can blame the State? The big ports in the country have no bridges over their river channels. The sea channel here is about 350 feet wide and 30 feet deep. We expect to widen it to 500 or 600 feet. They are going to put eight piers in the river; and at this particular point on the river the fog is bad; a few miles from there it is called in the Indian language "Skamokawa," which means "smoke on the river." It is a dangerous place on the river where the channel shifts and has shifted 250 feet.

We want the amendment of the gentleman from Oregon [Mr. CRUMPACKER] to say to the Secretary of War and the Secretary of Commerce, "If you are going to locate the bridge where the channel may shift and ships bump into it, give us an opportunity of putting up a million or two million or four million dollars to contribute to the safety of our channel."

We matched the Government's \$6,000,000 with \$9,000,000, and we have put \$20,000,000 additional more in in order to make this river a seagoing channel and a harbor.

In 1878 we had a channel 13 feet deep, and the Columbia River bar was known all over the world for its treachery. Every time a ship bumped there our competitive ports heralded it to the world, "Another bump on the Columbia River, another ship run into the bank on account of fog on the Columbia River." We do not think Congress should say you have a right to block our great harbor. We do not think Congress should do that through the instrumentality of two promoters

by putting a bridge across this channel. There is no bridge between New Orleans and the Gulf, and we have a commerce one-half as large as New Orleans. Philadelphia, London, Bremen, Hamburg, Rotterdam have no bridges between the sea and their ports. We ask the same protection that they have, and all we are asking you to do is to permit us, through the instrumentality of my colleague's amendment, to put up the necessary money to have this bridge conform to our demands; not our absolute demands, but our reasonable demands; the Chief of Engineers to decide their reasonableness.

Furthermore we say that the Chief of Engineers, in case we do not agree with these people, may fix the amount and the time for payment, and if we do not come through on time with the full amount then this proviso enabling us to protect ourselves becomes null and void. There is no "dog-in-the-manger policy" then. Surely we have a right to present this matter to Congress, the chairman of whose committee said they are only concerned as to whether there is a general demand for the bridge over this river.

Mr. McSWAIN. Will the gentleman please tell us what is to be the height of the bridge proposed?

Mr. SINNOTT. They propose 155 feet. The river fluctuates 20 feet at this point, and that will shut out a number of ships.

Mr. McSWAIN. And the height of the bridge over the Hudson River is 200 feet?

Mr. SINNOTT. The proposed bridge at One hundred and seventy-eighth Street is 200 feet. The bridge proposed at Vancouver, Wash., is 200 feet. We have the testimony of shipbuilders, shipowners, and shipmasters that this bridge will block a number of ships coming into our harbor. That is all that our amendments are aimed at, and in addition to that we want to protect our people and the public from having to pay promotion costs if this bridge is taken from these two promoters, who are trying to commercialize the second river in the United States. [Applause.]

Mr. DENISON. Mr. Speaker, I yield 10 minutes to the gentleman from Washington [Mr. JOHNSON].

Mr. JOHNSON of Washington. Mr. Speaker and gentlemen, I realize the industry of my colleagues from the State of Oregon, also the strain under which they are working. I am convinced that they themselves must feel free from that alarm which seems to be felt by certain of the population of the important city of Portland over the development and rapid advancement of the new city of Longview, in Washington, 50 miles closer to the ocean than Portland, particularly in view of the demand of Longview that it be made a port of entry for railroad rates; that it be considered a railway and ocean terminal; that it bring itself closer to Oregon by means of this bridge; and that it play its full part in the long-deferred development of this part of southwest Washington.

Mr. Speaker, so alarmed are a few people in Portland over this advancing development that they would not have a bridge below Portland across the Columbia River if it were 300 feet high and three-quarters of a mile wide. But it is certain that the development of one port means the development of all, and I think the majority of the people of Oregon, including those in Portland, realize that, as do the great majority of the people of Washington, including Vancouver. I wish I could take time to describe the great project which has developed at the highly strategic point where the Columbia River after flowing north for a considerable distance turns again west toward the sea. There the city of Longview has arisen, where there were but farms there four years ago. In a directory count a year ago there were 12,000 people at Longview, and another 12,000 at Kelso, just across the Cowlitz River, at its confluence with the Columbia River. Also a new population of several thousand at Rainier, Oreg., across the Columbia. The building of Longview, with its mills, factories, and roads, has opened up a tremendous area, consisting of whole counties of highly timbered land. It is progress with a capital P. It is a development that has been awaited by our people for 50 years. It has come, and faster than our most sanguine dreamed possible. Prosperity and activity spread prosperity and activity. That is the motto, apparently, of Mr. R. S. Long, the builder. This proposed bridge is a mere incident—a part of the development.

Mr. Speaker, the upper Columbia Basin, about which the speaker who preceded me expressed some alarm, is in large part located in the great center of the great State of Washington. The Columbia River turns north at a point alongside the district of my friend from Oregon [Mr. SINNOTT], goes entirely through the center of Washington, and thus creates the upper Columbia Basin, concerning which we of Washington are as solicitous as he.

I beg to suggest that the whole proposition of offering amendments is in the hope of getting this bill back into this Senate

bill with some innocuous amendment that will delay the bill, perhaps send it to conference, with the hope of further delay and ultimate defeat. To add propositions which would admit either State or any municipality to participation is to pave the way for legal entanglement and defeat.

Mr. CRUMPACKER. Mr. Speaker, will the gentleman yield? Mr. JOHNSON of Washington. I prefer not to yield for a moment or so.

Mr. SINNOTT. But the gentleman knows that he has to amend his bill. There is a mistake in it.

Mr. JOHNSON of Washington. There is a Senate amendment to a figure owing to a clerical error. The date of the organic bridge act is not correct.

Mr. SINNOTT. Oh, no; there is a reference to the wrong section. The bill refers to the taking over section as section 4, and it is section 3, and I have offered an amendment to cover that.

Mr. JOHNSON of Washington. We will leave that to the chairman of the committee. This is a Senate bill. He understands that. Gentlemen who were in the Sixty-eighth Congress will remember that at the beginning of that Congress a Longview bridge bill was offered. It did not meet with opposition in the House, but when the bill reached the Senate there was proposed an amendment to the effect that the bill have the approval of the highway commissioners of the two States.

After a long delay, just as that Congress was about to adjourn, the amendment was reluctantly accepted by the proponents of the bill, with the result that the Oregon Legislature at once passed an act giving the control of the Columbia River for about 100 miles to the Port of Portland Commission, and thereafter those in the State of Washington who wanted this bridge could offer plans or bring about a situation that would test the validity of the Oregon enactment. So it becomes necessary to have this act, which is to authorize a bridge across the Columbia River at or near this point, on conditions to be laid down by three Secretaries.

Mr. Speaker, the question is, Shall the Federal Government continue to control navigable streams or shall the States fight it out? Shall one State usurp the right? It can not be left to the States, because there would be continually just such situations as you now see. The original plans submitted three and a half years ago did propose a bridge 170 feet above low water, eighteen hundred feet long, where the possible contemplated navigable channel is 500 feet wide. We can not sit here in Congress, build bridges, and designate the exact number of feet in height. That is not the province of Congress. We provide under the basic bridge act the Chief of Engineers shall fix the height that will permit proper navigation. But in this bill we have provided further that all possible navigation contingencies shall be protected. It is not assumed that the three Secretaries will assume that the *Leviathan* will come steaming up the river at 28 knots an hour. The bed is not deep enough; the banks are not firm enough. Whole villages would be washed away. But the engineers and the Secretaries will provide for all reasonable navigation prospects. What more can be asked?

I beg to say to you that I am just as much interested in Portland, Oreg., as any Member from the State of Oregon could possibly be. Across from Portland is the growing city of Vancouver, in the district that I represent. In the 14 years that I have been in Congress I have introduced several bills, which have resulted in bridges across the Columbia River at various points. This Vancouver-Portland Bridge was the result of an act introduced by myself. Other bills were introduced by myself in conjunction with Mr. SINNOTT, and I am proud to say that the building of all these bridges has met the continual development of that country. I have lived in the Pacific Northwest for close to 30 years. I remember Portland distinctly when it was a bustling, busy city of 75,000 people, and I have seen it grow to 300,000. I know of Portland's efforts to open the Columbia River channel. I know of its expenditures on the Willamette Channel.

I would not, nor would the people of the State of Washington, put an obstruction in the river. Neither would the Longview builders, because the bridge they propose is below a great part of the site of the city they are building—below their factories and their turning basin and their log ponds. Longview would not obstruct itself in order to obstruct Portland. That is the answer to the obstruction proposition.

Mr. VAILE. The gentleman makes the point that the city of Longview is as much interested in having the proper height of the bridge as the city of Portland because of the business of Longview.

Mr. JOHNSON of Washington. Yes; that is quite correct. Further, the growth of Longview guarantees the growth of Portland—develops the more substantial business of the latter.

I have no alarm at all as to the great future of Portland, Oreg. The city of Longview, as I think it will in a reasonable time, will have a population of 75,000 or 100,000. But when Longview attains that population the city of Portland then will have reached 600,000 or as much as St. Louis. That is the way established commercial centers benefit from all progress. The great Northwest can at last see that it is coming into its own. All of the white population there, with the exception of the original few at Astoria and Vancouver—all the white population, practically speaking, has come within 75 years. The two States of Oregon and Washington now have about the population of the entire thirteen Colonies at the time they went to war 150 years ago against the mother country. I think the time will be very soon when Portland, Oreg., will be grateful that this bridge has been built, the new highway developed, and new activity opened in the out-country. [Applause.]

Mr. VINCENT of Michigan. Mr. Speaker, will the gentleman yield?

Mr. JOHNSON of Washington. I yield.

Mr. VINCENT of Michigan. I would like to know the facts about the clearance of this bridge. It was stated that other bridges in the vicinity are 200 feet in clearance and that this bridge is only 155 feet.

Mr. JOHNSON of Washington. There are no such bridges yet. This original proposal was for 170 feet clearance above low water. Original hearings were held in Oregon, and the proposal of these gentlemen who are called promoters—and they are part and parcel of the organization that is building the city—originally was for a bridge that is 170 feet above low water and 155 feet above extremely high freshet water.

But these plans are as yet tentative. They have not reached the hands of the engineers of the War Department, and can not until after we secure this act. If, after a hearing by the engineer department, the Secretary of War and the two other Cabinet officers to be associated with him should decide that additional height or width is advisable, the plans would have to be altered. That leads me to the principal amendment proposed—

Mr. DENISON. If after hearing, the Secretary of War or the Chief of Engineers or the Secretary of Commerce think it is necessary in order to protect the commerce that the bridge should be 200 feet high they will require it?

Mr. JOHNSON of Washington. Certainly. There was no provision for 200 feet in the clear.

Mr. McSWAIN. But if at the same time these Secretaries decide that 100 feet would be sufficient, that is within their power?

Mr. JOHNSON of Washington. There will be hearings. I myself, Senator JONES, and others in the State of Washington would object to that proposal. It never could be. All we ask is that Congress authorize the building of a bridge, the details to be controlled, as they have been with all other bridges over navigable streams, by Federal authorities. We can not allow one State to nullify an act of Congress or to fall out with another State. It is not our business to decide whether this bridge should be 170 feet, 190 feet, or 200 feet. We can not go into such details. We can grant the authority at a particular locality.

The SPEAKER. The time of the gentleman has expired.

Mr. DENISON. Mr. Speaker, how much time have I remaining?

The SPEAKER. Ten minutes.

Mr. DENISON. I yield five minutes to the gentleman from Washington [Mr. MILLER].

Mr. MILLER. Mr. Speaker and gentlemen of the House, I lived in the Northwest long before there was any bridge across the Columbia River. I have seen the Vancouver Bridge developed into the great highway that it is now connecting the city of Vancouver with the city of Portland. As these developments have gone forward various arterial highways have been opened between the north and the south along the Pacific coast. Since this Vancouver Bridge has gone in, the city of Longview has been established with one of the greatest industries in the United States located at that point. It is destined to become a great city. The time will never come, however, I dare say, when either of these cities will dwarf the other—there is plenty of room for both. I know the channel where this bridge is to go in. As the gentleman from Oregon [Mr. SINNOTT] said, that channel there is 350 feet wide—wide enough for any commerce in the world. As to the clearance the great Brooklyn Bridge at New York City has a clearance of 135 feet above the water, high enough to accommodate any shipping in the world. This bridge will have a clearance of 155 feet above water, 20 feet higher than the Brooklyn Bridge, and surely any bridge with sufficient clearance to accommodate the shipping

at New York will accommodate any shipping that will come into Portland. Then there is 20 feet additional.

Mr. SINNOTT. Will the gentleman yield?

Mr. MILLER. I can not yield now. A channel 350 feet wide with a clearance between the piers of 750 feet. No ship could possibly run in either one of those piers of this span. They would run in a mud bank first in a channel of 350 feet.

Mr. CRUMPACKER. Will the gentleman yield?

Mr. MILLER. I can not yield. I am sorry to say I now desire to go ahead and complete these remarks in a few moments. The simple question here is of offering one obstacle after another for the completion of this development of the great Northwest. We helped in our State to build the Vancouver Bridge, which was of inestimable value to the city of Portland. It was of inestimable value to the residents of my State living on the opposite bank of the Columbia River. It will help to build Portland if the people knew it. It will help the State of Oregon, it will help the State of Washington. This bill hung through the last Congress with one delay after another. They had hearings in the Senate, and it comes to the House again where another amendment is proposed to delay the development of the Northwest so earnestly desired, and I ask the House and my colleagues to support this bill and vote down the amendments.

Mr. Speaker, I yield back the remainder of my time.

The SPEAKER. The gentleman from Illinois has five minutes remaining.

Mr. DENISON. Mr. Speaker, I yield one minute to the gentleman from Washington [Mr. SUMMERS].

Mr. SUMMERS of Washington. Mr. Speaker and gentlemen of the House, this bridge will be one more connecting link completing one more highway system out in the Pacific Northwest. Nothing can be more important in the development of our new country than highways and bridges. It is to save a travel distance of something like 100 miles for people living in southwestern Washington who want to get to northwestern Oregon.

Certainly three Secretaries in the President's Cabinet are going to safeguard the transportation and the commerce of this country. We up in that great inland empire that has been referred to are as much concerned with the commerce on the Columbia River as any territory can possibly be. But we do not believe that this bridge will interfere with commerce, and we do believe in the interest of progress and development that the bridge should be constructed. [Applause.]

Mr. DENISON. Mr. Speaker and gentlemen of the House, the Columbia River is under the jurisdiction of the United States. I think Congress ought to maintain control over it. I do not think it ought to surrender control either to the State of Washington or to the State of Oregon. Here is an application for a franchise to build a bridge over that river. There is none now between Portland and the sea. The people want to cross it by a highway bridge, and I believe we ought to give them the right to do it. I think Congress can safely trust the Engineers' Office of the Army and the Secretary of War and the Secretary of Commerce and the Secretary of Agriculture to protect all the interests of Portland that need protection, and I believe it will be a reflection on the three Cabinet members for Congress to insert in this bill a provision authorizing the port of Portland, if they should not be satisfied with the decision of the three Secretaries, to come in and contribute some more money and then demand that the bridge be built in a different manner or higher than the three Secretaries say it ought to be built in order to protect commerce.

Mr. JOHNSON of Washington. Mr. Speaker, will the gentleman yield?

Mr. DENISON. Yes.

Mr. JOHNSON of Washington. I would like to make the point that the proposal of allowing a further approval by a corporation or municipality or otherwise would so interpose legal difficulties as to prevent the construction of the bridge.

Mr. DENISON. Yes. Just as soon as the city of Portland would propose to expend public funds for such a purpose an injunction suit would be filed and the construction would be tied up by litigation, and we would waste time here in passing the bill in that form. I hope the House will defeat the bill, so far as the committee is concerned, fairly and squarely, rather than do so indirectly by inserting amendments that will result in endless litigation or will result in killing it in another body. Let us pass it here with the perfecting amendment or else vote the bill down. That is the only way to do it fairly and squarely.

It is proposed to put a provision in the bill requiring the three Secretaries to find that it is necessary to build this bridge. Of course, that is a matter for Congress to pass upon. We are not dealing with a public utility here. If we should put such a provision in the bill and the Secretaries should

find that the bridge was necessary, an injunction suit would be filed on the ground the bridge was not necessary, and that would prevent the construction of the bridge. Let us not agree to any amendment that will prevent the construction of the bridge if we authorize it.

Mr. MCSWAIN. Mr. Speaker, is this a unanimous report of the committee?

Mr. DENISON. It is a unanimous report from the committee.

Now, I have no interest in Portland; I have never been out there; but on behalf of the committee that I have the honor to represent, I hope the House will not clog this bill up with any amendments calculated to defeat it, but let the bill become a law and let these parties out there build this bridge, for which there is a great demand. [Applause.]

Mr. Speaker, I move the previous question on the bill and amendments.

The SPEAKER. The amendments have not yet been offered except for information. Does the gentleman offer such an amendment?

Mr. CRUMPACKER. Those amendments were offered. My amendment was offered at the time I took the floor, and was intended to be incorporated after section 1.

The SPEAKER. They were offered only for information. But the Chair will now hold that the amendments are before the House for consideration. Are there any other amendments?

Mr. SINNOTT. There are four or five amendments.

The SPEAKER. The Clerk will report the amendments offered by the gentleman from Oregon [Mr. SINNOTT].

The Clerk read as follows:

Amendment offered by Mr. SINNOTT: In line 23, page 2, after the word "bridge," insert "and public necessity exists for such a bridge."

The SPEAKER. The Clerk will report all the amendments offered by the gentleman from Oregon.

The Clerk read as follows:

Page 3, line 25, after the word "profits," insert the words "or the value of the franchise."

Page 4, strike out all of lines 5, 6, 7, and 8 down to and inclusive of the figure "(4)" in line 8.

Page 3, line 25, strike out the figure "4" and insert in lieu thereof the figure "3."

On page 5, after the word "mortgage," in lines 16 and 17, insert the words "without profits."

Page 6, at the end of section 8, strike out the period, insert a comma, and add the following: "and the United States shall incur no liability for the alteration, amendment, or repeal thereof to the owner or owners or to any other person interested in the bridge which shall have been constructed in accordance with its provisions."

The SPEAKER. The gentleman from Illinois [Mr. DENISON] moves the previous question on the bill and all amendments. The question is on ordering the previous question.

The previous question was ordered.

The SPEAKER. The first amendment to be voted on is the amendment of the gentleman from Oregon [Mr. CRUMPACKER]. The question is on agreeing to that amendment.

The question was taken, and the amendment was rejected.

The SPEAKER. The next amendment is the one offered by the gentleman from Oregon [Mr. SINNOTT]. The Clerk will report it.

The Clerk read as follows:

Line 23, page 2, after the word "bridge," insert "and public necessity exists for such a bridge."

The SPEAKER. The question is on agreeing to the amendment.

The question was taken, and the amendment was rejected.

The SPEAKER. The Clerk will report the next amendment. The Clerk read as follows:

Page 3, line 25, after the word "profits," insert "or the value of the franchise."

The SPEAKER. The question is on agreeing to the amendment.

The question was taken, and the amendment was rejected.

The SPEAKER. The Clerk will report the next amendment. The Clerk read as follows:

Page 4, strike out all of lines 6, 7, and 8 down to and inclusive of the figure "(4)" in line 8.

The SPEAKER. The question is on agreeing to the amendment.

The question was taken, and the amendment was rejected.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Page 4, line 25, strike out the figure "4" and insert in lieu thereof the figure "3."

Mr. DENISON. Mr. Speaker, that is a clerical error.

Mr. SINNOTT. Is that my amendment?

The SPEAKER. Without objection, the correction will be made.

There was no objection.

The SPEAKER. The Clerk will report the next amendment. The Clerk read as follows:

Amendment offered by Mr. SINNOTT: Page 5, after the word "mortgage," in lines 16 and 17, insert the words "without profit."

The SPEAKER. The question is on agreeing to the amendment.

The amendment was rejected.

The SPEAKER. The Clerk will report the next amendment. The Clerk read as follows:

Amendment offered by Mr. SINNOTT: At the end of section 8 strike out the period, insert a comma and add the following: "and the United States shall incur no liability for the alteration, amendment, or repeal thereof to the owner or owners or to any other person interested in the bridge which shall have been constructed in accordance with its provisions."

The SPEAKER. The question is on agreeing to the amendment.

The amendment was rejected.

The SPEAKER. The question is on the third reading of the bill.

The bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. DENISON, a motion to reconsider the vote whereby the bill was passed was laid on the table.

Mr. JOHNSON of Washington. Mr. Speaker, I move to lay on the table a similar House bill, 11608.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

BRANCH BANKING

The SPEAKER. The Chair desires to make an announcement with reference to the conference on House bill 2, the so-called McFadden bill providing for branch banking. The Chair's attention has been called to the illness of the gentleman from Illinois [Mr. KING], one of the conferees, who is confined in a hospital. The Chair is informed through Mrs. King that his physician states that for some time to come he will be unable to transact business, including service on this conference committee, and requests the Chair to appoint some one in his place. Under these circumstances the Chair appoints to fill Mr. KING's place on the conference committee during his illness the gentleman from Kansas [Mr. STRONG].

Mr. MORTON D. HULL. Mr. Speaker, may I present a parliamentary inquiry with reference to that appointment?

The SPEAKER. Yes.

Mr. MORTON D. HULL. Does the motion made and carried at the June session of this Congress, instructing the conferees to adhere to the House provisions of the bill, apply to subsequent appointees?

The SPEAKER. The Chair would think so. The instructions were given before the conferees were appointed.

INDEPENDENT OFFICES APPROPRIATION BILL

Mr. WOOD. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 15959) making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices for the fiscal year ending June 30, 1928, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union, with Mr. BEGG in the chair.

The Clerk read the title of the bill.

Mr. BLANTON. Mr. Chairman, a point of order. In addition to the point of order reserved by the gentleman from Indiana [Mr. WOOD] I desire to make a further point of order against the amendment offered by the gentleman from New York [Mr. BLACK]. My point is this: That if that amendment were adopted it would require those letting contracts for the reconditioning of ships to make an investigation to find out whether all of the workmen are American citizens or not, and to that extent it interferes with the discretion that is allowed an executive, and to that extent it is subject to a point of order.

The CHAIRMAN. The Chair would like to make a statement in his own behalf. On the last legislative day that

the present bill was up for consideration a situation arose whereby the Chair was required to make a rather hasty decision, which was questioned. Since that time the Chair has made some investigation of the question as to the right of the Chair in the Committee of the Whole House to vote without passing between the tellers, and for the information of the House and as a justification for the action of the Chair that day, which was neither autocratic nor arbitrary, the Chair wishes to make this statement:

The point of order was made that the Chair should have asked permission to vote before casting his ballot. Section 8 of Rule XXIII provides:

The rules of proceeding in the House shall be observed in Committees of the Whole House so far as they may be applicable.

That being so, the rules governing the Chair in Committee of the Whole House would be those rules that govern the Speaker in the House, with certain limitations.

Section 6 of Rule I, governing the Speaker, reads as follows:

He shall not be required to vote in ordinary legislative proceedings, except where his vote would be decisive.

The present occupant of the Chair interprets that rule almost as mandatory on the Chair to cast a ballot when his voting affects the decision of the vote. Therefore the Chair believes his ruling the other day and his voting were not only justified by the rules but that his voting was almost mandatory; in fact, the present occupant of the chair would hold that the committee could compel the Chair to vote if it saw fit to do so.

Mr. DOWELL. Mr. Chairman—

The CHAIRMAN. For what purpose does the gentleman from Iowa rise?

Mr. DOWELL. In order to make a statement on that point.

The CHAIRMAN. The Chair will recognize the gentleman.

Mr. DOWELL. The decision made by the Chairman the other day, I think, was correct, but the reasoning of the Chair now, I fear, might not apply.

As the Chair will recall, in this instance the Chair's vote upon one side of the question determined it, but if the vote of the Chair had been upon the other side it would not have had any effect upon the teller vote. Therefore it would seem that the Chair's reasoning that he would be compelled to vote might be out of place under the circumstances of this case.

The CHAIRMAN. The Chair did not make the statement he could be compelled, but said he was of the opinion that the committee might force the Chair to cast his ballot if it so desired.

Mr. WOOD. Mr. Chairman—

The CHAIRMAN. For what purpose does the gentleman from Indiana rise?

Mr. WOOD. For the purpose of clarifying the RECORD. During the consideration of this bill on Tuesday last the gentleman from Texas [Mr. BLANTON] made a point of order against the following language carried in the paragraph making appropriation for the construction of the Arlington Memorial Bridge—

The CHAIRMAN. Will the gentleman from Indiana please advise the Chair of the page?

Mr. WOOD. Page 7, line 10.

Mr. BLANTON. Mr. Chairman, we have passed page 7, line 10, and have read down to line 20, page 36, and there has been an amendment offered to line 20. There were points of order pending against that amendment, and it would be improper to go back to line 10 of page 7.

The CHAIRMAN. The gentleman from Indiana asks unanimous consent to make a statement. Is there objection?

Mr. BLANTON. I shall object to going back, but I do not object to the gentleman making a statement.

The CHAIRMAN. The gentleman from Indiana is not asking consent to go back to that part of the bill but is asking unanimous consent to make a statement.

Mr. BLANTON. I shall not object to that.

The CHAIRMAN. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. WOOD. Mr. Chairman, I will read the following language, relating to the Arlington Memorial Bridge:

Provided, That the act approved February 24, 1925, shall be construed as authorizing the expenditure, with the specific approval of the Arlington Memorial Bridge Commission, of such portion as said commission shall determine, of this or any other appropriation heretofore or hereafter made to carry out said project, for the employment, on such terms as said commission shall decide, of expert consultants, engineers, architects, sculptors or artists, or firms, partnerships, or associations thereof, including the facilities, service, travel, and other

expenses of their respective organizations so far as employed upon this project, in accordance with the usual customs of their several professions, without regard to the restrictions of law governing the employment, salaries, or traveling expenses of regular employees of the United States: *Provided further*, That under the authority contained in the preceding proviso the aggregate amount to be expended in connection with the entire project shall not exceed \$250,000, and any payments in reimbursement of actual expenses incurred for subsistence shall not exceed the rate of \$10 per day, and any payments for per diem allowances for subsistence shall not exceed the rate of \$8 per day.

My purpose is to call the attention of the Chair and the gentleman from Texas, as well as the other members of the committee, to the fact that a point of order was sustained to this language when it is permanent law. So, in fairness to the Chair, and in fairness to the gentleman from Texas, who, perhaps, overlooked it, I felt it my duty at this time to call attention to this language.

Mr. BLANTON. I shall make a point of order against the Chair now placing any construction upon what happened. The RECORD discloses what happened. I have no objection to the gentleman from Indiana [Mr. WOOD] making any kind of statement he wants to make in his representative capacity, but it shall not be construed as a construction of this situation, because I do not agree with the gentleman. My point of order was sustained against that language read, and it went out of the bill, and we have passed that paragraph. If there were permanent law in it, it is still permanent law; but that feature of it is out of the paragraph, as decided by the Chair when the point of order was sustained.

Mr. WOOD. The gentleman certainly does not want to place himself or any other member of the committee in the ridiculous position of having a point of order sustained to what is already existing and permanent law.

Mr. BLANTON. The gentleman had the language before him and could have called the Chair's attention to it when we had the point of order up under discussion. The gentleman has had his day in court, and now he can not come in and appeal after the court has adjourned.

Mr. WOOD. It is not an appeal, because, even though the gentleman's point of order was sustained, it can not affect permanent law.

Mr. BLANTON. Then what is the use of quibbling over it?

Mr. WOOD. As I have said, I felt it my duty not only to call it to the attention of the Chair but also to the attention of the gentleman from Texas as well.

Mr. BLANTON. The gentleman can not bolster up the situation by an argument, and I shall object to going back to the paragraph in order to change the situation. The situation is fixed. The water has passed over the mill. The court has given its decision, and the court has adjourned.

The CHAIRMAN. The Chair desires to make a very brief statement in connection with the paragraph referred to by the gentleman from Indiana.

The other day, when a point of order was made to the language referred to, the gentleman from Indiana, in charge of the bill and whose responsibility it is to protect the bill, failed to advise the Chair that the language used is permanent law. That it is the responsibility of the chairman of the committee in charge of the bill, the Chair wishes to cite section 3597, Hinds' Precedents, Volume IV:

Those upholding an item in an appropriation should have the burden of showing the law authorizing it.

Were the Chair called upon to rule again on the language as it is written in the bill, in the absence of any information by the supporters of the bill, the Chair would rule just as he did.

Mr. BLAND rose.

The CHAIRMAN. When we adjourned the other day the gentleman from New York [Mr. BLACK] had offered an amendment to which there was a point of order raised. Now, for what purpose does the gentleman from Virginia rise?

Mr. BLAND. To make other points of order against the amendment.

The CHAIRMAN. Without objection, the Clerk will again report the amendment and the gentleman will not forfeit any rights in making points of order.

The Clerk read as follows:

Amendment offered by Mr. BLACK of New York: Page 36, in line 20, after the word "conditions," add the following: "*Provided*, That no part of the moneys appropriated or made available in this act for the United States Shipping Board Emergency Fleet Corporation, shall be expended within the continental limits of the United States in the reconditioning or repair of any vessel, or the machinery of such vessel for the employment of workmen other than citizens of the United States."

Mr. BLAND. Mr. Chairman, I make the point of order that if otherwise germane the amendment is not germane to the particular section or paragraph to which it is attempted to be added; that it is legislation upon an appropriation bill; that it imposes additional duties upon executive officers and interferes with Executive discretion.

The CHAIRMAN. Does the gentleman from New York desire to say anything on the point of order raised by the gentleman from Virginia [Mr. BLAND] that it is not germane to the paragraph to which it is offered?

Mr. BLACK of New York. Mr. Chairman, I would like to discuss all the points of order that have been made.

The CHAIRMAN. The Chair prefers to hear the gentleman on that point of order first.

Mr. BLACK of New York. Mr. Chairman, the section to which I have offered the amendment deals generally with appropriations for the purposes of the Shipping Board, including administrative work of the Shipping Board and the repair of ships. My amendment goes to the repair of ships. There follow this proviso that I have offered sections of the bill containing limitations, while not substantially the same as mine, still very similar in the fact that they are limitations. I think, if my amendment is to be offered at all, the only place it could be offered is at the very place I have presented it.

The CHAIRMAN. Unless some other gentleman desires to be heard on the point of order—

Mr. BLACK of New York. May I ask the Chair whether it is the understanding of the Chair that the gentleman from Virginia makes the point of order that the amendment is not germane at this particular line, or whether he makes the point of order it is not germane to be carried as a part of the particular paragraph we have just read?

Mr. BLAND. The point of order was made that it was not germane, in general language, and its germaneness to the bill would be covered by the point of order made by the gentleman from Indiana. I made the further point of order that it not only is not germane to the bill but it is not germane to this particular paragraph that deals with special claims appropriations. It has nothing to do with the repairing and reconditioning of ships.

The CHAIRMAN. The Chair is ready to rule.

Mr. CHINDBLOM. Mr. Chairman, there has been no debate on the merits of the paragraph?

The CHAIRMAN. No.

Mr. BLACK of New York. I think Mr. Chairman, I can obviate a long discussion by withdrawing this amendment and offering it as a new paragraph.

The CHAIRMAN. The paragraph to which the amendment is offered by the gentleman from New York deals solely with the special claims appropriation. The amendment has to do with all the money appropriated for the United States Shipping Board and the Emergency Fleet Corporation for reconditioning and repairing vessels. Unquestionably the amendment as offered is not germane to the paragraph to which it is offered, and therefore the Chair sustains the point of order.

Mr. BLACK of New York. Now, Mr. Chairman, I offer my amendment as a separate paragraph to follow line 20 on page 36 of the bill.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment by Mr. BLACK of New York: Page 36, in line 20, after the word "conditions," add the following: "Provided, That no part of the moneys appropriated or made available in this act for the United States Shipping Board Emergency Fleet Corporation, shall be expended within the continental limits of the United States in the reconditioning or repair of any vessel, or the machinery of such vessel for the employment of workmen other than citizens of the United States."

Mr. BLANTON. Mr. Chairman, I make the same point of order that it is a change of existing law and not a limitation; that it is not germane to the preceding paragraph, which it must be, and interferes with the discretion of an executive officer in that he would have to make a special examination to determine whether they were all American citizens. I call the Chair's attention to a long line of authorities collected by the gentleman from New York, Mr. Hicks, holding that where an amendment is offered as an independent or new paragraph it must be germane to the preceding paragraph.

The CHAIRMAN. The Chair is ready to rule on the point of order.

Mr. BLACK of New York. I would like to be heard, Mr. Chairman.

The CHAIRMAN. Perhaps the Chair will save the gentleman from New York some time. The Chair will overrule the

point of order made that it is not germane, and the gentleman from New York can devote himself to the other points of order.

Mr. BLACK of New York. Mr. Chairman, as to the point of order that it is legislation and not a limitation on an appropriation bill, and interferes with the discretion of an executive officer, I think this is a limitation on an appropriation bill far more narrow than some limitations offered and accepted. On February 4, 1925, I think, on this very bill, I offered a limitation and we had some discussion day before yesterday upon the same precedent to the effect that no part of the money available under this section should be used in a private shipyard. The gentleman from Connecticut [Mr. TILSON] was in the chair, and at first blush ruled against me, but after some consideration decided that it was a limitation and ruled in my favor.

Day before yesterday, following the thought in the ruling of the gentleman from Connecticut, the gentleman from Wisconsin [Mr. COOPER] offered an amendment providing that 50 per cent could be used in private shipyards, and followed that with another suggestion that 50 per cent could be used in the Government navy yards. That was held out of order, whereupon the gentleman from Wisconsin offered an amendment that only 50 per cent of the money might be used in private shipyards.

When the District of Columbia appropriation bill was under discussion in 1903 there was a paragraph appropriating for the office of chief engineer for the District of Columbia, and providing that the chief engineer should have five years' experience in a municipal fire department and a point of order was made against the paragraph and it was ruled out of order. There was an amendment offered to the effect that no money should be paid to a chief engineer who had not five years' experience in a municipal fire department. This was held in order. Another time in an Agricultural appropriation bill an amendment was offered which I think bears upon the point made as to the interference with the Executive discretion.

The amendment was offered to the effect that no money should be allowed an agricultural college in the State of Indiana or any other State or Territory until the Secretary of Agriculture was satisfied that no trustee, employee, or instructor of the institution was engaged in polygamy or polygamous practices. That required an investigation by the Secretary of Agriculture. That was held to be in order.

The precedent that more nearly approaches the situation that we have to-day was one that came up in the House on March 4, 1911. At that time the naval appropriation bill was under discussion. An amendment was offered to the effect that no part of the appropriation should be expended for the construction of any boats by any person, firm, or corporation which had not at the time of the commencement and during the construction of said vessels established an eight-hour work day for all employees, laborers, and mechanics engaged in doing the work for which the appropriation was made.

At that time there was no legislation requiring that there be an eight-hour day in private shipyards doing Government work. There was a requirement of an eight-hour day in Government navy yards, in all Government establishments doing Government contract work. This amendment I speak of was offered by Mr. Hughes, of New Jersey, and was supported by Mr. Fitzgerald, of New York. The Chair sustained the point of order, and on an appeal from the ruling of the Chair the committee rejected the Chair's ruling.

This situation of mine is almost identical with the situation presented at that time on the naval appropriation bill. Here we have a situation where Government work in Government yards, and in contract work by Government agencies the work must be done by American citizens. I offer an amendment requiring that where the work is done in a private agency, Government work, it shall be done by American citizens, and to my mind this amendment is strictly within the precedents, and it is within the very broad ruling made by the gentleman from Connecticut [Mr. TILSON] when he said that the committee could say that no part of the appropriation should be used to pay a man with red hair. That very broad suggestion of the gentleman from Connecticut amply covers the situation in respect to limitation. This is within the precedent set down by the gentleman from Connecticut on my amendment in 1925, and is particularly within the ruling of the committee on the naval appropriation bill of 1911. I rest my case on these precedents.

The CHAIRMAN. Unless some other gentleman desires to be heard, the Chair is ready to rule. The gentleman from New York offers the following amendment as a new paragraph:

After line 20, page 36, add the following:

"No part of the moneys appropriated or made available in this act for the United States Shipping Board Emergency Fleet Corporation shall be expended within the continental limits of the United States in the reconditioning or repair of any vessel or the machinery of such vessel for the employment of workmen other than citizens of the United States."

To which amendment the gentleman from Texas [Mr. BLANTON] makes the point of order that it is legislation on an appropriation bill.

Mr. BLACK of New York. Mr. Chairman, before the Chair rules, may I supplement my remarks by one statement in answer to the point of order? There is no affirmative obligation placed upon the Shipping Board. All they have to do is to insert in the contract that the work shall be done by American citizens, and there follows the penalty as in any other contract.

The CHAIRMAN. There is no question but that the amendment is a limitation on the way the money may be expended; but in order that a limitation on an appropriation bill may come within the rules, that limitation must not by indirection legislate. As the Chair interprets the amendment of the gentleman from New York, if it should be written into the appropriation bill, then before the comptroller could pay the bills presented for work done in reconditioning the vessels of the United States it would be necessary for him to ascertain by an investigation whether or not every man who worked on the ship and who had money owing him by the United States was, in fact, an American citizen. That would undoubtedly involve upon the comptroller additional duties. That being the fact, this amendment, if adopted, would in reality be legislation on an appropriation bill. The Chair therefore sustains the point of order.

Mr. WOOD rose.

Mr. BLANTON. Mr. Chairman, if the gentleman from Indiana will permit, I do not care to take advantage of the chairman of the subcommittee on this situation. I ask unanimous consent that we may return to page 7, line 10, in order that the gentleman from Indiana may offer an amendment and put matter back into the bill.

The CHAIRMAN. The gentleman from Texas asks unanimous consent to return to page 7 for the purpose of offering an amendment. Is there objection?

There was no objection.

Mr. WOOD. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. WOOD: Page 7, line 10, after the word "expended," insert the following: "Provided, That the act approved February 24, 1925, shall be construed as authorizing the expenditure, with the specific approval of the Arlington Memorial Bridge Commission, of such portion as said commission shall determine, of this or any other appropriation heretofore or hereafter made to carry out said project, for the employment, on such terms as said commission shall decide, of expert consultants, engineers, architects, sculptors or artists, or firms, partnerships, or associations thereof, including the facilities, service, travel, and other expenses of their respective organizations so far as employed upon this project, in accordance with the usual customs of their several professions, without regard to the restrictions of law governing the employment, salaries, or traveling expenses of regular employees of the United States: *Provided further*, That under the authority contained in the preceding proviso the aggregate amount to be expended in connection with the entire project shall not exceed \$250,000, and any payments in reimbursement of actual expenses incurred for subsistence shall not exceed the rate of \$10 per day, and any payments for per diem allowances for subsistence shall not exceed the rate of \$8 per day."

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Indiana.

The amendment was agreed to.

Mr. WOOD. Mr. Chairman, I have another amendment which I desire to offer.

Mr. BLANTON. Mr. Chairman, if the gentleman will permit, I have toted fair with the chairman of the subcommittee, and I do not think he ought to take advantage of the situation to offer further amendments at this point.

Mr. WOOD. This is an amendment on page 36.

Mr. BLANTON. Oh, I thought the gentleman was offering some other amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. WOOD: On page 36, line 20, insert a new paragraph as follows: "To enable the United States Shipping Board Emergency Fleet Corporation to operate ships or lines of ships which have been or may be taken back from purchasers by reason of competition or other methods employed by foreign shipowners or operators,

there is hereby reappropriated the unexpended balance of the appropriation of \$10,000,000 made for similar purposes in the independent offices appropriation act for the fiscal year 1927: *Provided*, That no expenditures shall be made from this sum without the prior approval of the President of the United States."

Mr. GARRETT of Tennessee. Mr. Chairman, I make a point of order on the proviso.

Mr. BLANTON. Mr. Chairman, I make a point of order on the whole amendment, that it is legislation unauthorized on an appropriation bill.

The CHAIRMAN. Does the gentleman from Tennessee desire to be heard?

Mr. GARRETT of Tennessee. Just long enough to direct attention to the fact that the proviso seems to violate the rules of the House in that, while ostensibly a limitation upon an appropriation bill it imposes executive duties upon the President himself which do not now exist in law. I have here some decisions.

But such limitations must not give affirmative directions—

And reference is given to Hinds' Precedents, volume 4, pages 3854, 3859, 3975. I call the attention of the Chair to the following:

And must not impose new duties upon an executive officer.

That is one of the latest decisions upon the subject. That is a decision by Chairman CRISP upon March 11, 1916, first session, Sixty-fourth Congress, CONGRESSIONAL RECORD, page 3950. Mr. Chairman CRISP at that time in making the ruling read from prior decisions, among others a decision by Mr. Chairman Sherman, subsequently Vice President of the United States, in which Mr. Sherman laid down this doctrine:

While a limitation may provide that no part of an appropriation shall be used except in a certain way, yet the restriction of executive discretion may not go to the extent of an imposition of new duties.

Then, again, Chairman Sherman said:

It has generally been held that provisions giving a new construction of law, or limiting the discretion which has been exercised by officers charged with the duties of administration, changes the law within the meaning of the rule, and are not in order.

Following that reasoning the gentleman from Georgia, Chairman CRISP, sustained the point of order upon the proposition which appears in the RECORD. It was an imposition, I may say, of new duties upon one of the Cabinet officials in that instance. This language imposes duties not now required of the President of the United States except as they were required by the current act against which no point of order was made. This does require, of course, that the President of the United States shall be charged with the duty of making an investigation to determine whether this appropriation shall be expended after it has been made by the Congress. It requires of him an exercise of discretion not now required by law, imposes upon him a new duty and a new burden not required by any general law. For that reason I submit that it is subject to the point of order.

The CHAIRMAN. Does the gentleman from Indiana desire to be heard?

Mr. WOOD. All I desire to say, if the Chair please, is that this is absolutely a limitation. As I understand, the point of order raised by the gentleman from Tennessee is as to the proviso.

Mr. GARRETT of Tennessee. My point of order is as to the proviso.

Mr. WOOD. Which reads as follows:

Provided, That no expenditures shall be made from this sum without the prior approval of the President of the United States.

Now, it does not change existing law; it is just a limitation requiring certain action upon the part of the Shipping Board.

The CHAIRMAN. Will the gentleman from Indiana cite the Chair the provisions of law that requires the President or Executive to O. K. the expenditures of the Shipping Board?

Mr. WOOD. I call the attention of the Chair to section 19 of the merchant marine act, under the third section, which shows that duties are imposed upon the President by the act. There are other sections requiring certain action by the Executive.

(3) Whenever the head of any department, board, bureau, or agency of the Government refuses to suspend, modify, or annul any rule or regulation, or make a new rule or regulation upon request of the board, as provided in subdivision (c) of paragraph (1) of this section, or objects to the decision of the board in respect to the approval of any rule or regulation, as provided in paragraph (2) of this section, either the board or the head of the department, board, bureau, or agency which has established or is attempting to establish the rule or

regulation in question may submit the facts to the President, who is hereby authorized to establish or suspend, modify, or annul such rule or regulation.

The CHAIRMAN. Will the gentleman from Indiana please give the Chair the citation of the shipping act again?

Mr. WOOD. It is page 43 of the shipping act, entitled "The shipping act and merchant maritime act of 1920," section 3, on page 43.

The CHAIRMAN. Does the gentleman from Indiana care to offer anything additional?

Mr. WOOD. I do not care to offer anything more than that it occurs to me to be simply a new limitation without imposing any new duties on the Executive or taking away any rights of the Shipping Board.

The CHAIRMAN. The Chair is ready to rule. On page 36, after line 20, the gentleman from Indiana offers the following amendment:

To enable the United States Shipping Board Emergency Fleet Corporation to operate ships or lines of ships which have been or may be taken back from purchasers by reason of competition or other methods employed by foreign shipowners or operators, there is hereby reappropriated the unexpended balance of the appropriation of \$10,000,000 made for similar purposes in the Independent Offices appropriation act for the fiscal year 1927: *Provided*, That no expenditures shall be made from this sum without the prior approval of the President of the United States.

The gentleman from Tennessee [Mr. GARRETT] made a point of order to the proviso, and the gentleman from Texas [Mr. BLANTON] made a point of order to the whole paragraph. The gentleman from Indiana submits as authority for the proviso section 3 of the merchant marine act of 1920, which reads as follows:

Whenever the head of any department, board, bureau, or agency of the Government refuses to suspend, modify, or annul any rule or regulation or make a new rule or regulation upon the request of the board as provided in subdivision (c) of paragraph 1 of this act or objects to the decision of the board with respect to the approval of any rule or regulation as provided in paragraph 2 of this act, either the board or the head of the department, board, bureau, or agency which has established or attempted to establish the rule or regulation in question may submit the facts to the President, who is hereby authorized to establish or suspend, modify, or annul such rule or regulation.

The gentleman from Indiana contends that that carries with it the power to compel the President to pass on the question of expenditures. The Chair believes that there is nothing in the act cited carrying authority to warrant any party, either the Shipping Board or the contesting party, in carrying a question of dispute as to expenditure of any particular amount of money to the President of the United States. Therefore the Chair is forced to the conclusion that if the proviso is attached to the appropriation it will add to the duties of the Chief Executive, to wit, he must investigate every time there is a request for expenditure out of the \$5,000,000, and his investigation must go into the question of whether it is wise to expend this amount of the appropriation. Therefore, it would add new duties to the Executive and devolve added burdens on him. The Chair therefore holds that the proviso is out of order, and inasmuch as the gentleman from Texas [Mr. BLANTON] makes a point of order to the whole amendment, and the proviso being a part of the whole amendment, the Chair is compelled to sustain the objection of the gentleman from Texas as well as that of the gentleman from Tennessee.

Mr. WOOD. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Indiana.

The Clerk read as follows:

Amendment offered by Mr. WOOD: On page 36, after line 20, insert a new paragraph, as follows:

"To enable the United States Shipping Board Emergency Fleet Corporation to operate ships or lines of ships which have been or may be taken back from purchasers by reason of competition or other methods employed by foreign ship owners or operators, there is hereby reappropriated the unexpended balance of the appropriation of \$10,000,000 made for similar purposes in the independent offices appropriation act for the fiscal year 1927."

Mr. BLANTON. Mr. Chairman, I make the point of order that that is legislation unauthorized on an appropriation bill. Without this provision the Shipping Board and the Emergency Fleet Corporation would be powerless to do the thing that this amendment is offered to enable them to do.

The CHAIRMAN. In what way?

Mr. BLANTON. Well, they have no law to do this now.

The CHAIRMAN. If the gentleman will permit, if the money is reappropriated according to the amendment, what can the Shipping Board do that they can not do to-day?

Mr. BLANTON. I am glad the Chair asked that question. The Chair very wisely, last Wednesday, held that it would be wrong for the Shipping Board to attempt to evade the law by lending money to a person for 50 years to pay a part payment on a ship. Now this is exactly what the Shipping Board is seeking to do with this \$10,000,000. They are not willing to sell ships to men to operate under the flag under the law that we have laid down, but they want to use this money to give them long-time loans in violation of that law. If they propose to take part of this \$10,000,000 as a loan, it is a misappropriation to use that money for an improper purpose. I submit that the Chair held it wisely out of order the other day, and I hope he will hold it out of order now.

Mr. DAVIS. Mr. Chairman, I thoroughly agree with the Chair that the other points of order were good, and those provisions against which they were directed ought to have been declared out of order, but at the same time I think that the language offered now by the gentleman from Indiana in his last amendment is in order, because it provides an appropriation authorized in section 7 and also section 12 of the merchant marine act of 1920.

Now in section 7, after first directing the Shipping Board to investigate and determine what steamship lines should be established, and authorizing them to sell or charter ships to persons who will agree to establish and operate such lines, then the section provides as follows:

And if no such citizen can be secured to supply such service by the purchase or charter of vessels on terms satisfactory to the board, the board shall operate vessels on such line until the business is developed so that such vessels may be sold on satisfactory terms and the service maintained—

And so forth.

And then in next to the last proviso of the same section the Chair will note the following language:

Provided further, That where steamship lines and regular service have been established and are being maintained by ships of the board at the time of the enactment of this act, such lines and service shall be maintained by the board until, in the opinion of the board, the maintenance thereof is unbusinesslike and against the public interests.

Section 12 we find this language:

That all vessels may be reconditioned and kept in suitable repair and until sold shall be managed and operated by the board or chartered or leased by it on such terms and conditions as the board shall deem wise for the promotion and maintenance of an efficient merchant marine, pursuant to the policy and purposes declared in sections 1 and 5 of this act; and the United States Shipping Board Emergency Fleet Corporation shall continue in existence and have authority to operate vessels, unless otherwise directed by law, until all vessels are sold in accordance with the provisions of this act, the provision in section 11 of the shipping act, 1916, to the contrary notwithstanding.

There is a provision in the original shipping act of 1916 which specifically provides that the Shipping Board may operate vessels whether they were constructed by them or purchased by them or otherwise acquired. So the mere fact that vessels have been sold and taken back because they were not paid for—in other words, taken back in order to protect the interests of the Government—certainly does not deprive the Shipping Board and Emergency Fleet Corporation from operating those vessels again, and they have done so in many instances, because there have been numerous instances, particularly several years ago, when they sold lines upon time, whole shipping lines, as well as individual ships, which were returned because of default in payment, and which were kept in operation, sold, and otherwise disposed of just the same as if they had never been sold. Consequently I think there is no question but that there is full authority for the operation of these ships, just as much so as there is in the preceding section carrying a general appropriation.

Mr. LEHLBACH. Will the gentleman yield?

Mr. DAVIS. Yes.

Mr. LEHLBACH. Were not the United States Lines so taken back operated by the Government?

Mr. DAVIS. Yes; they have been operated directly by the Emergency Fleet Corporation after they had been sold and taken back by the Government.

The CHAIRMAN. The Chair is ready to rule. The gentleman from Indiana offers the same amendment that was offered a moment ago, with the proviso omitted, carrying an appropriation to enable the United States Shipping Board Emergency Fleet Corporation to operate ships or lines of ships which have been or may be taken back from purchasers by

reason of competition, and so forth, to which the gentleman from Texas made the point of order that it was legislation on an appropriation bill.

Under section 7516 (d) (Barnes Code) relating to the merchant marine act there is undoubted authority for the Shipping Board to sell ships. If there were no legislation at all, the fact that they were authorized to sell ships on the partial-payment plan and take security for the ships would make it follow that they had the right to take them back. Then, under section 7516 (f) (Barnes Code), is the authority to operate or establish steamship lines. The Chair can see no difference between a ship that has been once sold and then, perhaps, returned to the Shipping Board because of the inability of the purchaser to make the full payment on it and a ship that has never been sold, in so far as putting that ship into operation is concerned. The Chair therefore overrules the point of order.

Mr. WOOD. Mr. Chairman, I offer an amendment to the amendment.

Mr. BLANTON. Mr. Chairman, I make the point of order that one offering an amendment can not amend his amendment except by unanimous consent.

The CHAIRMAN. The Chair overrules the point of order. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. Wood to the amendment offered by Mr. Wood: Add at the end of the amendment the following: "Provided, That no expenditure shall be made from moneys available for the purposes of this paragraph without the prior approval of the President of the United States."

Mr. GARRETT of Tennessee. Mr. Chairman, I make a point of order against that amendment, the same point of order I made a moment ago. It imposes new duties on the President of the United States.

The CHAIRMAN. Does the gentleman care to add anything to his discussion of a moment ago?

Mr. GARRETT of Tennessee. No; I think not.

Mr. WOOD. Mr. Chairman, I want to call this to the attention of gentlemen of the committee: This proviso would apply solely to the \$5,000,000 that is reappropriated for the purpose of maintaining or operating such boats as may be taken back from purchasers. It applies solely to that.

Mr. GARRETT of Tennessee. If the gentleman will permit, let us have a clear understanding about that. In questioning the gentleman the other day, when the paragraph on page 35 was before the committee, I asked the gentleman if the \$5,000,000 that was there taken out of the \$10,000,000 which is contained on page 36 stood without the McDuffie amendment, would that \$5,000,000, so appropriated on page 35, be subject to the limitation of approval by the President, and the gentleman said it would.

Mr. WOOD. Yes.

Mr. GARRETT of Tennessee. The gentleman is still of that opinion?

Mr. WOOD. Yes. But if the gentleman from Tennessee will note this proposed amendment he will see that it limits it to this paragraph.

Mr. GARRETT of Tennessee. But this paragraph carries \$10,000,000.

Mr. WOOD. Yes; this paragraph carries \$10,000,000, but as I take it—and I think I am right—the action of the committee has already removed \$5,000,000.

Mr. GARRETT of Tennessee. Oh, no; the other \$5,000,000 is not taken out of the bill.

Mr. WOOD. No; it is not taken out of the bill, but it is taken from under the provisions of the limitation.

Mr. GARRETT of Tennessee. It is by virtue of the sustaining of the point of order made by me a few moments ago.

Mr. WOOD. And the amendment that is now offered to this amendment limits the proviso to the \$5,000,000 remaining in this paragraph. There is a difference between the provisos of the amendments.

Mr. GARRETT of Tennessee. Mr. Chairman, may we have the amendment again reported? Is the gentleman agreeable to having the amendment reported again just as it will read if the proviso should be adopted?

Mr. WOOD. That is perfectly agreeable.

The CHAIRMAN. Without objection, the Clerk will again report the amendment and the amendment to the amendment. The amendment was again reported.

Mr. GARRETT of Tennessee. Mr. Chairman, I think the gentleman from Indiana [Mr. Wood] is mistaken as to the application. It would apply to the entire \$10,000,000, and I insist upon my point of order.

Mr. WOOD. Mr. Chairman, I want to be heard on that.

I can not agree with the gentleman's interpretation, and, though he might be correct, I want to call the attention of the Chair to the twenty-sixth section of the shipping act, on page 23, which reads as follows:

The board shall have power, and it shall be its duty whenever complaint shall be made to it, to investigate the action of any foreign government with respect to the privileges afforded and burdens imposed upon vessels of the United States engaged in foreign trade whenever it shall appear that the laws, regulations, or practices of any foreign government operate in such a manner that vessels of the United States are not accorded equal privileges in foreign trade with vessels of such foreign countries or vessels of other foreign countries, either in trade to or from the port of such foreign country or in respect to the passage or transportation through such foreign country of passengers or goods intended for shipment or transportation in such vessels of the United States, either to or from ports of such foreign country or to or from ports of other foreign countries.

Now, I invite attention especially to this part of the paragraph:

It shall be the duty of the board to report the results of its investigation to the President with its recommendations, and the President is hereby authorized and empowered to secure by diplomatic action equal privileges for vessels of the United States engaged in such foreign trade. And if by such diplomatic action the President shall be unable to secure such equal privileges, then the President shall advise Congress as to the facts and his conclusions by a special message, if deemed important in the public interest, in order that proper action may be taken thereon.

I maintain that under that section of the shipping act this proviso is not imposing any new duty upon the President, but it is made his duty, in cooperation with the board, to do certain things for the purpose of doing what? Carrying out the purpose of this act for the establishment of a merchant marine; and I want to call the attention of the Chair to the further fact that it is the duty of the President of the United States to advise with his various Cabinet officers and with those who are in authority and who have charge of the expenditure of money. This Congress has adopted a Budget and made it the agent of the President, and the Budget submits to him for his advice and consideration the expenditures of money to be made out of the Treasury of the United States. It is a part of the duty of the President of the United States to keep his eye and his finger upon the Treasury of the United States. Therefore, it is a part of his duty to keep his eye and his finger upon the agencies that are expending money out of the Treasury of the United States.

The CHAIRMAN. Will the gentleman from Indiana permit the Chair to ask him a question?

Mr. WOOD. Certainly.

The CHAIRMAN. The Chair would like to ask the gentleman from Indiana if the paragraph quoted by the gentleman refers to anything beyond unfair treatment in the ports of the world?

Mr. WOOD. Yes; it refers in a general way to the operation of the boats.

The very preamble of the merchant marine act shows that the purpose of the act is to establish a merchant marine and its purpose is ultimately to put that merchant marine in the hands of private ownership. It empowers not only the board but also the President of the United States to do all the things that are necessary in order to accomplish that end. I called this to the attention of the Chair the other day in arguing a point of order similar to this when the Chair took the position at that time that if it were not for the paragraph of this act creating a policy and defining what the policy of the Government is with reference to a merchant marine, and if it was not for the other specific requirements and regulations concerning the operation of the boats, the point of order would not have been overruled.

The CHAIRMAN. May I ask the gentleman another question?

Mr. WOOD. Yes.

The CHAIRMAN. Is this appropriation to be expended solely in foreign territory?

Mr. WOOD. No.

The CHAIRMAN. Then the Chair would like to ask the gentleman whether the Chair is correctly advised that the paragraph quoted by the gentleman treats solely of acts or practices of foreign governments respecting merchant vessels?

Mr. WOOD. Yes.

The CHAIRMAN. Under what reasoning or by what logic does the gentleman get it around to applying to paying for a buoy or something of that kind in a harbor?

Mr. WOOD. I will explain to the Chair. For example, the Shipping Board sells a line of its vessels or a number of its vessels to some operator who is plying vessels between here and foreign ports. By reason of the competition of the foreign vessels at this foreign port belonging to a foreign nation, they make it impossible for the buyers of the vessels from the United States Shipping Board to do business. Competition is so rife that, unless they receive help, they have to go out of business. The purpose then is to keep the ships of the United States upon the seas. Would not that foreign interference authorize the President of the United States to exercise such diplomacy as he might deem necessary for the purpose of obviating that difficulty, and, by the same token, would he not have the right, if necessary, to advise the Shipping Board to make expenditures for the purpose of continuing the operation of our ships in competition upon the seas with lines of foreign ships? It occurs to me that is not only logical but is just simply a natural and irresistible conclusion.

Mr. DAVIS. The section to which the gentleman from Indiana refers is one with reference to discriminations by foreign governments. In the margin opposite that section the Chair will note the description of that section to be "investigation of discriminations by foreign governments against American vessels."

Referring to the section itself, it says—

the board shall have power, and it shall be its duty whenever complaint shall be made to it, to investigate the action of any foreign government with respect to privileges and burdens imposed upon vessels of the United States engaged in foreign trade—

And so forth.

The amendment now pending, offered by the gentleman from Indiana, has no reference whatever to any foreign government or the act of any foreign government; it reads:

To enable the United States Shipping Board Emergency Fleet Corporation to operate ships or lines of ships which have been or may be taken back from purchasers by reason of competition or other methods employed by foreign shipowners or operators, there is hereby reappropriated the unexpended balance of the appropriation of \$10,000,000.

It refers entirely to a different purpose from that in the section to which I have referred.

I call attention further to the fact that one-half of this reappropriation of \$10,000,000 in this particular paragraph is reappropriated for an entirely different purpose from that just stated. On page 35, under subsection (b), the Chair will note that there is a general appropriation for the expenses and administrative purposes of the Shipping Board and Emergency Fleet Corporation of \$12,000,000, and in addition not to exceed \$5,000,000 as special appropriation of this \$10,000,000 contained in the independent office appropriation bill for 1927 reappropriated by this act.

So \$5,000,000 of this is sought to be applied not solely to the case of the operation of ships taken back, but to pay the general expenses and general operation including losses due to the maintenance and operation of the ships generally.

Consequently, even if perchance this provision relied upon by the gentleman from Indiana should be construed to apply to the so-called defense fund it certainly has no application to the other \$5,000,000 which he is endeavoring to appropriate for general purposes.

Mr. WOOD. Mr. Chairman, the gentleman from Tennessee has called attention of the Chair to the section which has been read, and I desire the Chair to read it in connection with my amendment. What is the purpose of the \$10,000,000? The purpose is to enable the United States Shipping Board Emergency Fleet Corporation to operate ships which have been or may be taken back by reason of competition and other methods employed by foreign ship owners or operators.

The paragraph to which I called the Chair's attention goes to the very vitals of this. If the purchasers of these ships are ruined upon the sea and their business taken away by reason of the competition of owners of foreign ships, this section of law applies. Everyone knows that the whole Government of England is connected as owner or part owner in English ships and English shipping.

The CHAIRMAN. The Chair is ready to rule. The gentleman from Indiana offers an amendment to his amendment providing that no expenditure shall be made from moneys available for the purchase of these vessels without prior approval by the President of the United States. To that the gentleman from Tennessee makes the point of order that it proposes legislation.

The gentleman from Indiana contends and cites section 7505 in Barnes Code which is as follows:

Acts of purchases of foreign Governments respecting merchant vessels. The board shall have power, and it shall be its duty whenever complaint shall be made to it, to investigate the action of any foreign government with respect to the privileges afforded and burdens imposed upon vessels of the United States engaged in foreign trade whenever it shall appear that the laws, regulations, or practices of any foreign government operate in such a manner that vessels of the United States are not accorded equal privileges in foreign trade with vessels of such foreign countries or vessels of other foreign countries, either in trade to or from the ports of such foreign countries or in respect of the passage or transportation through such foreign country of passengers or goods intended for shipment or transportation in such vessels of the United States, either to or from ports of such foreign country or to or from ports of other foreign countries. It shall be the duty of the board to report the results of its investigation to the President with its recommendations and the President is hereby authorized and empowered to secure by diplomatic action equal privileges for vessels of the United States engaged in such foreign trade. And if by such diplomatic action the President shall be unable to secure such equal privileges, then the President shall advise Congress as to the facts and his conclusion by special message, if deemed important in the public interest, in order that proper action may be taken thereon. (Act. Sept. 7, 1916, C. 451, sec. 26, 39 Stat. 737.)

Frankly, the Chair can see no relationship between the expenditure of appropriations by the Emergency Fleet Corporation and the adjustment of diplomatic differences between two countries. There is no other way that a diplomatic difference could be adjusted than through the President and the Secretary of State. Of course, if this money carried in this appropriation bill were for the purpose of paying the expenses of such investigations under this paragraph, there would be no question but that the proviso would be in order, because the President would have that power without the proviso. The test the Chair applies is, Could the Shipping Board pay this money without the approval of the President if the proviso were not here? If they could expend it without the President's O. K. on the expenditure, then, of course, the proviso would be subject to the point of order, inasmuch as it would be legislation. The Chair therefore sustains the point of order made by the gentleman from Tennessee.

The question now recurs upon the amendment offered by the gentleman from Indiana.

Mr. BANKHEAD. Mr. Chairman, I move to strike out the last word of the amendment. I do this for the purpose of interrogating the chairman of the subcommittee for a moment to see whether I understand exactly what the present status of this appropriation is after the recent ruling of the Chair. This is a very important question as viewed by many of us. We want to know exactly what the bill now carries in its present parliamentary status. On page 35 you appropriate unconditionally \$12,000,000 for the purpose of the operation of the Emergency Fleet Corporation, and in addition to that unqualified \$12,000,000 not to exceed \$5,000,000 of the special appropriation of \$10,000,000 contained in the independent offices act of 1927. Since the gentleman offers the pending amendment reauthorizing the appropriation of \$10,000,000 for this special defense fund, I ask the gentleman from Indiana if it is his construction of the bill as it now stands that it appropriates \$17,000,000 straight out for the purpose of the operation of the Emergency Fleet Corporation itself.

Mr. WOOD. That is what it does. You have to construe together the language on page 35 and on page 36. If it were not for the reappropriation on page 36, this bill would carry only \$12,000,000, but by reason of the reappropriating clause and by reason of the language on page 35 that takes the \$5,000,000 out of the \$10,000,000 we appropriated, the board will have at their command \$17,000,000.

Mr. BANKHEAD. So that it is the construction of the chairman of the subcommittee that we are appropriating straight out \$17,000,000, and by his pending amendment he also proposes to reappropriate \$10,000,000 of the defense fund?

Mr. WOOD. Yes.

Mr. BANKHEAD. In addition thereto?

Mr. WOOD. No. You are reappropriating \$10,000,000 for the defense fund in order that you may have the \$5,000,000 out of it to add to the \$12,000,000. If we did not reappropriate the \$10,000,000, then there would be no chance to get the \$5,000,000; but by reappropriation of the \$10,000,000 and by the language we insert releasing the \$5,000,000, and by the action of the House in striking out the proviso, there is \$17,000,000 appropriated for operating expenses of the board.

Mr. BANKHEAD. But the difficulty is that this \$10,000,000 on page 36 is not for general operating expenses by the language of the pending amendment. You do not propose to release it for operating expenses.

Mr. WOOD. Turn back to page 35. The language must be construed together—

sufficient to cover all obligations incurred prior to July 1, 1927, and then unpaid; (b) \$12,000,000, and in addition not to exceed \$5,000,000 of the special appropriation of \$10,000,000 contained in the independent offices appropriation act for the fiscal year 1927 and reappropriated by this act.

In order that the \$10,000,000 may be kept and \$5,000,000 of it released for the use of the Shipping Board, we reappropriate the \$10,000,000. The purpose is to release \$5,000,000.

Mr. BANKHEAD. To release it unconditionally for the general operating expenses?

Mr. WOOD. That is absolutely the condition in which the record is now.

Mr. BANKHEAD. I just wanted to clarify that situation so that there would be no misunderstanding of the amount actually available.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

No officer or employee of the United States Shipping Board or the United States Shipping Board Emergency Fleet Corporation shall be paid a salary or compensation at a rate per annum in excess of \$10,000 except the following: One at not to exceed \$18,000, three at not to exceed \$15,000 each, and one at not to exceed \$12,000.

Mr. BLACK of New York. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. BLACK of New York: On page 37, after line 8, add the following as a new paragraph:

"No part of the moneys appropriated or made available in this act for the United States Shipping Board Emergency Fleet Corporation shall be expended within the continental limits of the United States in the reconditioning or repair of any vessel or the machinery of such vessel for the employment of workmen who are not citizens of the United States."

Mr. BLANTON. Mr. Chairman, I make the same points of order. That is identically the same amendment. It proposes new duties, it is legislation in the guise of a limitation.

The CHAIRMAN. Is this exactly the same amendment that was offered before?

Mr. BLACK of New York. No. I think I can make a distinction that will satisfy the Chair.

Mr. BLANTON. It is not germane to the preceding paragraph and it proposes new duties and is legislation under the guise of a limitation.

Mr. BLACK of New York. Mr. Chairman, in the first amendment I offered I used the words "other than citizens of the United States." In this amendment I propose that no money shall be paid to persons who are not citizens of the United States. In the first amendment I offered the disjunctive, thus creating two classes and requiring that the Shipping Board pay not to a certain class and by implication that they must pay to a certain class, which probably vitiated the amendment in the view of the Chair.

Now, here I have the strict negative, a restriction as to persons who are not. I use the qualifying pronoun with the restrictive language—persons who are not citizens of the United States. You can not impose a negative duty upon anybody. All I demand now under this amendment is they shall not, not they shall not and shall, but shall not. Again under the ruling made by the Chair on the other amendment the Chair stated this, that it imposes new duties on the Bureau of the Budget. If you are imposing new duties on the Bureau of the Budget by my amendment you impose new duties on the Budget by every line in every appropriation bill, and I do not think that of itself should vitiate any amendment. The question is, am I imposing new duties on the Shipping Board. Now, in reference to the red-haired man amendment—

The CHAIRMAN. What the Chair desires is, if the gentleman can give the Chair any information that will show the Chair he was wrong in deciding the amendment imposed a duty on anyone in determining whether the man receiving pay was an American citizen, the Chair will be glad to receive it.

Mr. BLACK of New York. What I am trying to point out is, the difference between the two amendments is fundamentally distinct from a parliamentary point of view. The first amendment imposes an affirmative positive duty to use the money

for another class; here is a strict negative making a certain class—

The CHAIRMAN. Will the gentleman permit the Chair to ask a question? If the gentleman's amendment were adopted and Mr. A, or any man who had done some work for the Shipping Board, would present his voucher for payment to the paymaster, would the paymaster have any obligation or duty put on him that is not there to-day?

Mr. BLACK of New York. The paymaster has only one obligation on him.

The CHAIRMAN. What is it?

Mr. BLACK of New York. Now the first amendment—

The CHAIRMAN. We are not discussing the first amendment.

Mr. BLACK of New York. He has no obligation under this amendment.

The CHAIRMAN. The Chair would like to ask the gentleman then a specific question which the gentleman can not evade.

Mr. BLACK of New York. The gentleman from New York is not trying to evade.

The CHAIRMAN. If Mr. A presents this voucher and the gentleman's amendment is adopted, would the paymaster be charged with the responsibility of ascertaining whether or not Mr. A was an American citizen?

Mr. BLACK of New York. If a man comes up under the head of the amendment—

The CHAIRMAN. Well, now, the Chair wishes to secure information.

Mr. BLACK of New York. And the gentleman is trying to bring himself within the precedents. The Chair is trying to carry out the effect of this amendment to the last stage by presenting a concrete picture as to the effect of my amendment, and I am trying to make the same concrete picture under the precedents. Suppose a man comes to the paymaster and says, "I am not red haired, I want to get my money." Then the paymaster will be obliged to call upon the Health Bureau, the Bureau of Standards, and various other bureaus—

The CHAIRMAN. The Chair is ready to rule as the gentleman has not given the Chair any information.

The amendment as offered by the gentleman is the same identical amendment as was offered at another place in the bill, with the exception that the words "other than" are stricken out and the words "who are not" are inserted. The Chair sustains the point of order on the ground that it would impose additional duties on the paying officer of the United States. The Clerk will read.

The Clerk read as follows:

UNITED STATES VETERANS' BUREAU

For carrying out the provisions of an act entitled "An act to establish a Veterans' Bureau and to improve the facilities and service of such bureau and to further amend and modify the war risk insurance act approved August 9, 1921," and to carry out the provisions of the act entitled "World War veterans' act, 1924," approved June 7, 1924, as amended, and for administrative expenses in carrying out the provisions of the World War adjusted compensation act of May 19, 1924, including salaries of personnel in the District of Columbia and elsewhere in accordance with the classification act of 1923, and expenses of the central office at Washington, D. C., and regional offices and sub-offices, and including salaries, stationery, and minor office supplies, furniture, equipment and supplies, rentals and alterations, heat, light, and water, miscellaneous expenses, including telephones, telegrams, freight, express, law books, books of reference, periodicals, ambulance service, towel service, laundry service, repairs to equipment, storage, ice, taxi service, car fare, stamps, and box rent, traveling and subsistence, including not to exceed \$4,000 for the expenses, except membership fees, of employees detailed by the director to attend meetings of associations for the promotion of medical science, and annual national conventions of such organizations as may be recognized by the director in the presentation or adjudication of claims under authority of section 500 of the World War veterans' act, as amended, including traveling expenses of employees transferred from one official station to another when incurred on the written order of the director, salaries and expenses of employees engaged in field investigation, passenger-carrying and other motor vehicles, including purchase, maintenance, repairs, and operation of same, salaries and operating expenses of the Arlington Building and annex, including repairs and mechanical equipment, fuel, electric current, ice, ash removal, and miscellaneous items; and including the salaries and allowances, where applicable, wages, travel, and subsistence of civil employees at the United States veterans' hospitals, supply depots, dispensaries, and clinics, including the furnishing and laundering of white duck suits, and white canvas shoes to employees whose duties make necessary the wearing of same, \$42,500,000: *Provided*, That physicians, dentists, and nurses of the medical service of the United States Veterans' Bureau, in addition to their compensation, when transferred from one official station to another for permanent duty,

may be allowed, within the discretion and under written order of the director, the expenses incurred for packing, crating, drayage, and transportation of their household effects and other personal property not exceeding in all 5,000 pounds.

Mr. BLANTON. Mr. Chairman, I reserve a point of order to all this part of the paragraph, on page 39, in line 5, beginning with the proviso and covering lines 6, 7, 8, 9, 10, 11, 12, and 13, respectively. I want to ask the chairman of the subcommittee what law is there for this proviso?

Mr. WOOD. I shall call the gentleman's attention to it.

Mr. BLANTON. Does the chairman claim that there is law for it?

Mr. WOOD. Yes; I think there is. I read:

The President is hereby authorized to make and provide such facilities as may be necessary in carrying out the provisions of this act.

Mr. BLANTON. What is there in that which authorizes the traveling expenses of physicians and nurses?

Mr. WOOD. There is this about it: Suppose an expert doctor, a married man, living in San Francisco, is no longer needed there, but his services are needed in New Orleans or some place else, and there is an order made for him to go there. He is going to take his wife with him, is he not?

Mr. BLANTON. If there is already law for it, what did the gentleman's committee put all this language in here for?

Mr. WOOD. For the purpose of enlightening the gentleman as to what we are doing.

Mr. BLANTON. I want to be frank and fair with the gentleman. I do not want to obstruct him. But if he had admitted that this was legislation, probably I would have seen fit not to make the point of order against it. But if he contends that it is already law, and he puts this in just as surplus language, I am inclined to move to strike it out.

Mr. WOOD. I think it was the law, but in order that they might get by the Comptroller General—

Mr. BLANTON. Yes; there is what is the matter. The Comptroller General has held that there is no law for it, and the gentleman is putting this language in to make law on an appropriation bill.

Mr. WOOD. The Comptroller General has not refused these payments, although he has some doubt about it. But we thought that in order that there should be no doubt about it we would put this in at his suggestion.

Mr. BLANTON. If the gentleman had frankly admitted that this is legislation, I would withdraw my reservation of a point of order.

Mr. WOOD. If it would save time I will admit that. [Laughter.]

Mr. BLANTON. Then, Mr. Chairman, the chairman of the subcommittee having admitted that this is legislation on an appropriation bill, I will withdraw the reservation and offer an amendment.

Mr. WOOD. I have an amendment. Let me offer it first. It will not interfere with the gentleman.

Mr. BLANTON. Mr. Chairman, I think the gentleman ought to let my amendment go in at this place. I have withdrawn my reservation of the point of order to help out the gentleman from Indiana. He will have time to get in his amendment.

Mr. WOOD. The gentleman from Texas has been so exceptionally good to-day that I will not oppose him.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Texas.

The Clerk read as follows:

Amendment offered by Mr. BLANTON: Page 39, line 13, after the word "pounds," strike out the period, insert a colon, and add the following: "Provided further, That section 502 of the World War adjusted compensation act, as amended, is hereby amended by adding thereto the following new subdivisions to read as follows:

"(1) At any time after the expiration of two years after the date of the certificate the director is hereby authorized and directed to loan from the United States Government life (converted) insurance fund, or adjusted-service certificate fund, to any veteran upon his promissory note secured by his adjusted-service certificate (with or without the consent of the beneficiary thereof) any amount desired by such veteran not in excess of the loan basis (as defined in subdivision (g) of this section) of the certificate. The sum so loaned shall bear interest at the rate of 4 per cent per annum, compounded annually. The director shall restore to the veteran, at any time prior to maturity, any certificate so accepted, upon receipt from him of an amount equal to the amount of the loan, with interest at the rate of 4 per cent per annum, compounded annually. If the veteran fails to redeem his certificate from the director before its maturity or before the death of the veteran, the director shall deduct from the face value of the certificate (as determined in section 501) an amount equal to the sum of the

amount loaned by the director on account of the note of the veteran, plus interest on such amount from the time the loan was made to the date of maturity of the certificate or the death of the veteran, at the rate of 4 per cent per annum, compounded annually, and shall pay the remainder in accordance with the provisions of section 501. If the veteran dies before the maturity of the loan, the amount of the unpaid principal and the unpaid interest accrued up to the date of his death shall be immediately due and payable. In such cases, or if the veteran dies on the day the loan matures or within six months thereafter, the director shall deduct the amount of the unpaid principal and interest from the face value (as determined in section 501) of the certificate and pay the remainder in accordance with the provisions of section 501.

"(j) The Secretary of the Treasury is hereby authorized to make loans to the United States Government life-insurance fund on such securities used as collateral as are authorized for such funds, at interest not to exceed 4 per cent."

Mr. WOOD. Mr. Chairman, thinking that there may be some legislation in that amendment, I will reserve a point of order against it.

The CHAIRMAN. The gentleman from Indiana reserves a point of order against the amendment.

Mr. BLANTON. Mr. Chairman, this amendment I have offered is the exact language contained in a bill I introduced here in the House on January 12, 1927, the same being House bill 16215, now pending before the Committee on Ways and Means.

I introduced this bill in response to an urgent appeal made to me by wire by Hon. R. C. Winters, State commander of the American Legion, State of Texas, who advised that the banks in Texas were not making loans to veterans on their adjusted service certificates, and that such veterans were sorely disappointed and needed relief.

On yesterday, at my request, our senior Senator from Texas, Hon. MORRIS SHEPPARD, introduced a copy of this bill in the Senate, and it is now pending before the Senate Committee on Finance, being Senate bill 5258 and the companion bill to House bill 16215. Senator SHEPPARD has promised me that he will do everything within his power to pass it there.

I have been to see our colleague from Iowa [Mr. GREEN] and our colleague from Texas [Mr. GARNER], who are the chairman and ranking minority member, respectively, of the Committee on Ways and Means, and I have been to other distinguished members of said committee and have been assured that said committee would give this subject consideration just as soon as pending matters were out of the way.

I know of no Member who is against granting this relief to veterans. The Veterans' Bureau can make these loans to veterans, and at 4 per cent interest.

We already have this Government insurance fund down there, a tremendous fund, much of it being idle, out of which the Director of the Veterans' Bureau can make these loans, and if such fund should need replenishing I provide in this measure that the Secretary of the Treasury can replenish it with new loans to the Veterans' Bureau at 4 per cent. Is there anything wrong with this legislation? Is it not urgent and should it not be passed?

Suppose there might be, as suggested by our friend from Indiana, a little legislation in it. [Laughter.] When it has suited his purpose, he has placed many items of legislation in this bill, and I have made points of order against same, and have caused several paragraphs he put in, one embracing \$10,000,000, to be knocked out of the bill by my points of order, and he has admitted that the very paragraph in his bill to which I have offered this amendment, itself contains nine lines of legislation which he himself has put in this bill, and when a committee itself puts legislation in their appropriation bill the committee ought not to object when other urgent salutary legislation is offered to it.

Why should the gentleman want to keep this amendment from passing? It will pass here right now, if he does not make a point of order against it. And if he makes a point of order, he will keep the Members here from voting on it. Why should he make it and thus keep the Members here from passing this amendment, and thereby deprive these soldier boys who went to France and gave their lives and everything they had for their country during the stress of war of having this right to get 4 per cent loans on their certificates from the Veterans' Bureau? Is he going to do it against them? He will put legislation in this appropriation bill to give the nurses, doctors, and others the right to transfer their furniture at Government expense when they want to go from one side of the United States to the other, when it is against the rules, then why not suspend the rules for our veterans? He will put legislation in here for doctors and nurses, but will not let me do it for veterans. If he

wants to take care of doctors and nurses, then why does he not want to take care of these injured and disabled veterans of the World War who are now knocking at the door of Congress for immediate relief?

This amendment will pass unanimously if you will put it to a vote in this committee and not keep us from voting on it by the point of order. There is not a man in the House who will vote against this amendment, not one. It is a salutary proposition; it is a proposition the financial part of which takes care of itself, because we already have plenty of money in the loan fund, and the Treasury can supply more at 4 per cent, which interest the veterans will pay.

I hope my friend from Indiana [Mr. Wood] will not make a point of order, and let us pass this amendment now, because unless you get this amendment passed as a rider on this appropriation bill now, you are not going to change the law before we adjourn on March 4, unless the Ways and Means Committee acts promptly and secures a special rule. The only chance to get it passed is as a rider on an appropriation bill such as this bill, and I hope the distinguished gentleman from Indiana [Mr. Wood], who has charge of this bill, and the distinguished majority leader [Mr. TILSON], and our distinguished Speaker [Mr. LONGWORTH], and our distinguished minority leader [Mr. GARRETT], who are all here present on the floor at this time, will combine their great forces they have in this House when they do get together and let this amendment go through; let it become a law and let these men get their loans on their certificates, which Congress authorized.

Mr. GARRETT of Tennessee. Will the gentleman yield?

Mr. BLANTON. I yield to my leader; yes.

Mr. GARRETT of Tennessee. Did the gentleman have in mind anything about cruisers in testing the strength of the combination?

Mr. BLANTON. The reason this Longworth-Tilson-big-cruiser combination fell down the other day on their big naval program was that they did not have the distinguished gentleman from Tennessee [Mr. GARRETT] with them. If they had had the gentleman from Tennessee with them they probably would not have fallen down. [Laughter.] But I am now asking that their strength be augmented by the strength of our minority leader.

Mr. HASTINGS. What rate does the gentleman's amendment carry?

Mr. BLANTON. Four per cent.

Mr. HASTINGS. I am for the amendment.

Mr. BLANTON. And the rest of the Members here are for it. And it will pass if allowed to come to a vote. But if the gentleman from Indiana [Mr. Wood] makes a technical point of order against it going on this bill as a rider, he will prevent our voting on it, and he will prevent it from passing and becoming law. I hope he will not make the point of order.

The CHAIRMAN. The time of the gentleman from Texas has expired. The gentleman from Indiana has made a point of order against the amendment offered by the gentleman from Texas, and the Chair sustains the point of order.

Mr. WOOD. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Indiana offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. Wood: Page 38, line 16, after the word "including," insert the following: "reimbursement to employees, for similar travel heretofore authorized, from the appropriation for the fiscal year in which the travel was performed, and"

The amendment was agreed to.

Mr. DALLINGER. Mr. Chairman, I move to strike out the last word. To my mind, more important than passing new legislation in the interest of the veterans, important as that may be, is a proper administration by the Veterans' Bureau of the legislation we already have. I desire to take up the time of the committee for just a few minutes to tell of an experience I had with the United States Veterans' Bureau during the period when I was not a Member of Congress. I may say that while I was a Member of Congress I was treated with courtesy by the Veterans' Bureau, as Members of Congress generally are. There was, to be sure, a great deal of delay, often unnecessary delay, and it was my experience that the Veterans' Bureau on the whole became more efficient as the number of employees was reduced. When the bureau had 16,000 employees there was chaos, and it was almost impossible to get any action at all, but as time went on and the employees became less numerous and more efficient there was a distinct improvement, although I always felt that there was altogether too much red tape.

Shortly after I ceased to be a Member of Congress I had the following experience: A young man, a resident of my district, died in the naval service of the United States. He had a

\$10,000 Government life-insurance policy, the premiums on which had been taken out of his pay by the Government authorities. He left a widow, and after some delay she received \$57.50 a month until she married again; then later she died. There were no children, and the only heir at law and next of kin was the father. Some time after the death of the widow the father received a letter from the Assistant Director of the United States Veterans' Bureau stating that there was a lump sum of \$7,065 that the Veterans' Bureau would be glad to pay to him if he would have himself appointed administrator of his son's estate and send to the bureau at Washington a certified copy of his appointment by the probate court.

The father came to me as a friend who was familiar with probate practice, and I had him appointed by the probate court of one of the counties of Massachusetts as administrator of his son's estate and sent a certified copy of the appointment to the Assistant Director of the Veterans' Bureau, in accordance with his letter, in which he stated that just as soon as he received a certified copy of the father's appointment of his son's estate from the probate court a check for the amount due would be sent. Did the check come? No. After considerable delay and correspondence a questionnaire came, a long questionnaire for the father to fill out and swear to, with a whole lot of questions that had nothing whatever to do with the case, concerning the birth of the brothers and sisters of the deceased sailor, when the bureau knew perfectly well that the only heir at law was the father, and the assistant director had stated that when he received a certified copy of the father's appointment a check would be sent to him as administrator, the proceeds of which would then be distributed by him in accordance with the laws of Massachusetts.

The father filled out the questionnaire, answering all the unnecessary questions, took oath to it before me as notary, and I mailed it by registered mail, and it was receipted for by some one in the Veterans' Bureau. Then, after repeated letters of inquiry, a letter was received from the bureau stating that there was a mistake in the answers to the questionnaire, without pointing out what the mistake was or sending back the questionnaire with the mistake indicated upon it. Finally, after several more letters, I succeeded in getting the old questionnaire sent back, with a statement that one of the answers that had nothing whatever to do with the case had not been answered satisfactorily and inclosing a new questionnaire to be filled out.

To make a long story short, after a third questionnaire had been sent on and no fault found with it, as a result of repeated letters, I finally received a letter stating that it would be necessary for the bureau to have a certified copy of the appointment of the father as administrator.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. DALLINGER. Mr. Chairman, I ask unanimous consent to proceed for five additional minutes.

Mr. WOOD. Mr. Chairman, I do not like to object, but the gentlemen is not speaking upon the bill at all. I shall not object in this instance.

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. BLANTON. Will the gentleman yield for just one question?

Mr. DALLINGER. Yes.

Mr. BLANTON. As long as we have down there at the head of one of the bureaus as chief counsel "Poker Bill" Smith, who knows no law whatever, you are going to have just such conditions. [Laughter and applause.]

Mr. DALLINGER. Mr. Chairman and gentlemen of the committee, I think the House and the country ought to know about this experience, of which I am speaking, and the appropriate time and place to speak about it is when the appropriation for the maintenance of the Veterans' Bureau is under consideration.

I wrote the assistant director and told him that on such and such a date, several months previous, there had been sent to him by registered mail a certified copy of the father's appointment and telling him if he had lost or mislaid it I would go to the trouble and expense of procuring another. Finally, after a long delay, a letter came back from the assistant director stating that he was very sorry about the delay and that he had found the certified copy. But this was not sufficient. Although he had stated several months before that a certified copy of the father's appointment would be sufficient, he now stated that he wanted a certified copy of the original petition for appointment, a certified copy of the inventory—when the only property the sailor left consisted of the proceeds of this insurance policy, the existence of which had been called to the father's attention by the Veterans' Bureau—a certified

copy of the administrator's bond, and, in addition to this, a sworn statement by the judge that in his opinion the sureties on the bond were sufficient. Of course, the judge refused to make any additional statement, as his signature appeared on the bond as approving the same. Well, I sent certified copies of all the papers that the probate court would give me by registered mail. Did we then get the check? Not at all.

There was correspondence after correspondence and finally after almost a year from the time that the original request of the bureau had been complied with, and then only after United States Senator Butler had interceded with the Veterans' Bureau, did the check finally come.

Mr. Chairman, it is perfectly evident to me, as I wrote the Assistant Director of the Veterans' Bureau, that in this particular case every obstacle was deliberately and intentionally put in the way of the father of a deceased World War veteran from getting what the Congress intended that he should receive. Now, in my opinion, there are just two possible motives behind this attitude on the part of the Veterans' Bureau.

First, those in charge of the bureau wish to make a record with the Budget Bureau by actually spending during the financial year less than the amount appropriated, thus making a saving for the Treasury; and, second, because of this unnecessary and inexcusable delay and useless correspondence they are able to keep on the rolls a much larger force than would otherwise be required.

Why, in this case, if the bureau had carried out the promise contained in the original letter of the assistant director, the check would have been sent within three days from the time the bureau received the certified copy of the appointment, which was all that was asked for. As a matter of fact, almost a year went by, and there was a mass of correspondence, consisting of probably 50 or 75 unnecessary letters written by the clerks in the Veterans' Bureau.

I appeal to this House that this sort of thing ought to stop. The Veterans' Bureau is established by the Congress to help the soldiers and the sailors and not to put obstacles in the way of their obtaining what Congress intended they should have.

I would not have known anything about this matter if I had not tried as a private citizen to get through one of these cases, and I may add that there were a number of similar cases during this period that came to my attention.

I hope that those in charge of the Veterans' Bureau, when the bureau receives the appropriation from Congress provided in this bill, will this next year try to do away with some of this unnecessary red tape and will discontinue the policy which has been pursued by some private insurance companies in the past of fighting every claim and trying to avoid in every way the payment of meritorious claims.

Mr. STEVENSON. Will the gentleman yield?

Mr. DALLINGER. Certainly.

Mr. STEVENSON. Did I understand the gentleman to say that that kind of treatment was received only while he was not a Member of the Congress?

Mr. DALLINGER. I would not have known anything about this particular case if I had not tried to get it through as a private citizen.

Mr. STEVENSON. I have had the same experience while I have been a Member, so it is not entirely a matter that is experienced by men in private life.

The Clerk read as follows:

Medical and hospital services: For medical, surgical, dental, dispensary, and hospital services and facilities, convalescent care, necessary and reasonable aftercare, welfare of, nursing, prosthetic appliances (including special clothing made necessary by the wearing of prosthetic appliances prescribed by the bureau), medical examinations, funeral, burial, and other incidental expenses (including preparation for shipment and transportation of remains accruing during the fiscal year 1928 or in prior fiscal years), traveling expenses, and supplies, and not exceeding \$100,000 for library books, magazines, and papers for beneficiaries of the United States Veterans' Bureau, court or other expenses incident to any investigation or court proceeding for the appointment or removal of any guardian, curator, conservator, or other person legally vested with the care of the claimant or his estate, or in connection with the administration of such estate by such fiduciaries, including court costs and other expenses incident to proceedings heretofore or hereafter taken for commitment of mentally incompetent persons to hospitals for the care and treatment of the insane, \$35,275,000: *Provided*, That this appropriation shall be available for the purchase of subsistence supplies for sale to employees, the appropriation being reimbursed by the proceeds of such sales.

Mr. BLANTON. Mr. Speaker, I make the point of order to the following language:

On page 41, beginning in line 1, "*Provided*, That this appropriation shall be available for the purchase of subsistence supplies for sale to employees, the appropriation being reimbursed by the proceeds of such sales."

That is legislation unauthorized by law and would put the Veterans' Bureau into the mercantile business.

Mr. WOOD. It is subject to a point of order, but will not the gentleman reserve it?

Mr. BLANTON. I will reserve it but I am going to make it.

Mr. WOOD. General Hines appearing before the committee told us that two or three of the hospitals were so remote from everywhere that if they do not have some sort of commissary to take care of their wants many times they suffer. I can realize that this provision might be abused, if it is subject to abuse, but it is only to apply to two or three hospitals around over the country.

Mr. BLANTON. If the gentleman from Indiana had a hospital in his home town I should want the hospital to buy its supplies from the local dealers and not have them sent to it from Portland, Oreg.

Mr. WOOD. We have the assurance that this will not be used except at hospitals where the demand is urgent.

Mr. BLANTON. There could be places in Indiana where it could be used.

Mr. WOOD. Yes; or in Texas.

Mr. BLANTON. I make the point of order, Mr. Chairman.

The CHAIRMAN. The point of order is sustained.

The Clerk completed the reading of the bill.

Mr. WOOD. Mr. Chairman, I move that the committee do now rise and report the bill to the House with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. BRAGG, Chairman of the Committee of the Whole House on the state of the Union reported that that committee had had under consideration the bill (H. R. 15959) making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices for the fiscal year ending June 30, 1928, and for other purposes, and had directed him to report the same back with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. WOOD. Mr. Speaker, I move the previous question on the bill and all amendments to final passage.

The motion was agreed to.

The SPEAKER. Is a separate vote demanded on any amendment? If not the Chair will put them in gross.

The amendments were agreed to.

The bill was ordered to be engrossed, and read a third time, was read the third time, and passed.

On motion of Mr. WOOD, a motion to reconsider the vote whereby the bill was passed was laid on the table.

WAR DEPARTMENT APPROPRIATION BILL

Mr. BARBOUR. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 16249) making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1928, and for other purposes. Pending that motion I desire to see if we can not agree on time for general debate.

Mr. BYRNS. Mr. Speaker, the gentleman from Virginia [Mr. HARRISON], ranking minority member of the subcommittee, is temporarily out of the Hall; he was here a moment ago.

Mr. GARRETT of Tennessee. Has the gentleman had any agreement with the gentleman from Virginia?

Mr. BARBOUR. No; but I wondered if we could not agree now.

Mr. BYRNS. Let me suggest to the gentleman that if he is going to take the floor to explain the bill, why can not the gentleman go on and make the arrangement with the gentleman from Virginia later. I suggest that the gentleman ask unanimous consent for an equal division of the time.

Mr. BARBOUR. Mr. Speaker, I ask unanimous consent that the time be equally divided, that the gentleman from Virginia [Mr. HARRISON] control one half and I control the other half.

The SPEAKER. The gentleman from California asks unanimous consent that general debate be equally divided, one half to be controlled by the gentleman from Virginia [Mr. HARRISON] and the other half by himself. Is there objection?

Mr. BLANTON. Reserving the right to object, and I shall not object, I want to ask the gentleman a question. He is going to give us how much time for general debate?

Mr. BARBOUR. I have had no talk with the gentleman from Virginia, but it will be somewhere about six or seven hours.

Mr. BLANTON. May I ask the gentleman if we will have plenty of time under the five-minute rule?

Mr. BARBOUR. I shall be disposed to give gentlemen plenty of time.

Mr. BLANTON. It is reported that the committee has increased the personnel by 550 and exceeded the Budget estimate by \$10,500. If that is true, we want some time on that.

Mr. BARBOUR. Let me say to the gentleman that the bill does not exceed the Budget estimates.

Mr. McSWAIN. Mr. Speaker, I desire to say to the House that this bill was reported only yesterday. Last December I made a motion in the Committee on Military Affairs that we try to keep in touch with the progress of the proceedings in the Subcommittee on Army Appropriations in order that we might be advised so as to take more intelligent action in the matter when the bill came before the House. I have repeatedly applied to the Appropriations Committee clerk for a copy of the hearings, and only yesterday was I able to obtain it and a copy of the bill. I understand that is the case with all Members. I am not trying to make any trouble, but I do hope that hereafter the Appropriations Committee can find it possible to have the hearings printed in small sections, numbered serially, as is done in other committees, so that the hearings may be distributed progressively to the membership who have equal responsibility to the country under the Constitution so that we may be informed and not have a bulky book of over a thousand pages passed to us 24 hours before consideration of the bill. The committee could place on a mailing list the names of all that so request and send the sections or serials to such Members as the same come from the press. That is the only comment I desire to make at this time, in the hope that in another year we may have some relief from the situation that Members of the House not on the Committee on Appropriations find themselves in at the present time.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

The SPEAKER. The question is on the motion of the gentleman from California that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 16249, the Army appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the Army appropriation bill, with Mr. TILSON in the chair.

The Clerk read the title of the bill.

Mr. BARBOUR. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. BARBOUR. Mr. Chairman, I yield 15 minutes to the gentleman from Oregon [Mr. HAWLEY].

Mr. HAWLEY. Mr. Chairman and gentlemen, there is considerable interest throughout the country in a proposed reduction of taxation at this session of the Congress. It is my intention briefly to discuss the matter and to place before you the facts and figures on which a judgment may be based.

It is estimated that there will be a surplus of some \$383,000,000 in the Treasury for the fiscal year ending June 30, 1927.

Whether this estimated surplus can be used as the basis for tax reduction depends upon the items of which it is composed, and whether a surplus of substantially the same amount, or at least of considerable amount in excess of the unobligated balance, which we have always considered necessary to leave in the Treasury, will recur for the fiscal year of 1928 and subsequent years under the present revenue laws.

I think all will agree that the only kind of a surplus that can be used as a basis for tax reduction is the excess of receipts into the Treasury from regular and recurrent sources over the expenditures.

The estimated surplus for the current fiscal year consists of two parts: (1) Normal surplus earnings from income, excise, and other taxes, and from the tariff; (2) special irregular and nonrecurrent items from other sources.

Surplus from recurrent sources

Surplus from income, excise, and other taxes and from the tariff.....	\$137,436,000
From Germany, annual payment on cost of army of occupation.....	13,102,000
Total from recurrent sources.....	150,538,000

RECEIPTS FROM SPECIAL IRREGULAR AND NONRECURRENT SOURCES

These items, which are the larger part of the estimated surplus—that is, 60 per cent—for this fiscal year, are as follows:

From sale of farm-loan bonds.....	\$60,495,000
From net excess of receipts in the construction-loan fund of the United States Shipping Board, and other receipts from said board.....	12,321,000
From railroads, arising out of settlements for period of Government control.....	29,338,000
From War Finance Corporation, net excess of receipts.....	25,000,000
From minor sources.....	5,308,000
From excess of collection of back taxes over refunds.....	100,000,000
Total of such items.....	232,462,000

The Federal loan bonds held by the Treasury are all disposed of. There is yet due the Treasury from the construction-loan fund of the United States Shipping Board not quite \$37,000,000. There remains \$280,576,000 of the securities and obligations taken from the railroads, but of this amount \$48,685,000 is in the account with the Boston & Maine, \$55,000,000 in that of the Chicago, Milwaukee & St. Paul, which is now in the hands of a receiver, and \$87,030,000 in that of the New York, New Haven & Hartford. When these railroad accounts can be collected and in what amounts is wholly speculative. The better classes of the securities and obligations held by the Treasury have nearly all been realized upon. Small amounts will be collected from year to year, but not in sufficient amounts, it is estimated, to become an important item in the revenue of any year.

It is estimated that hereafter the collections of back taxes will be equal only to the refunds, and so no net income from them will accrue to the Treasury.

It is estimated that for the fiscal year 1928 there will be received from the special, irregular, and nonrecurrent sources only \$37,169,000 instead of \$232,462,000. For subsequent years the amounts received from such sources will not be large, will be very irregular, and can not be considered at all as a dependable receipt. They will finally be exhausted and the surplus thereafter will consist only of the items classed as recurrent and the payment from Germany—until such time as our former allies make payments in substantial amounts—with a resulting reduction of the public debt and a diminution of the annual interest charge on the debt.

The Treasury held at the beginning of the fiscal year 1922 \$1,478,000,000 of obligations and securities from various activities arising chiefly out of war activities, including the United States Housing Corporation, farm-loan bonds, United States Sugar Equalization Board, United States Shipping Board, railroads under Government control, and War Finance Corporation. There was also a large quantity of war supplies, from which over \$253,000,000 has been realized and which are now practically all disposed of. These have been realized on in the amount of \$1,148,185,421, leaving a balance of \$329,837,975, for which a market has not yet been found or which are not yet due. Of the amount still held, \$280,576,150 is due from railroads; and of this, \$190,715,479 is due from the Boston & Maine, the New York, New Haven & Hartford, and the Chicago, Milwaukee & St. Paul, now in the hands of a receiver. The better classes of the securities have nearly all been disposed of. When the others can be sold and what will be realized from them is a matter of conjecture. Comparatively small sums will be received, in all probability, for some years, but as a source of revenue for tax reduction such receipts will be uncertain and unreliable.

The reduction of taxation necessitates a basis of dependable sources of recurrent income, and that basis can be found only in the surplus of income from income, excise, and other taxes, and from the tariff.

We have had only a few months' experience under the revenue act of 1926, a period altogether too brief to form any sound judgment of its permanent revenue-producing qualities. We expect that business will continue in its present prosperity. But whether the net incomes for subsequent fiscal years will be as large as at present can not be foretold.

The net income of corporations for the fiscal year 1927 is estimated at \$9,630,000,000 and the tax at \$1,300,000,000. The net income of corporations for the calendar year 1923 was \$8,321,500,000, and the normal corporation tax on that amount at the present rate of 13½ per cent would be \$1,123,400,000, or \$176,000,000 less than estimated for this year. The net income of corporations for 1924 was \$7,586,000,000 and the tax at the present rate would be \$1,024,200,000, or \$275,800,000 less than for the present fiscal year. The net income of corporations for 1925 was \$9,036,000,000, and the tax at the present rate would be \$1,222,860,000, or \$77,140,000 less than for the present fiscal year. Statistics for the year 1926 are not yet available. The

average for these three years would be \$176,500,000 less than for the fiscal year 1927.

It is true that corporate net income may increase, but it is also true that it may decrease. It is this uncertainty as to the amount of income that makes legislation for tax reduction at this session hazardous. The same uncertainty exists as to other sources of revenue.

It is then evident from the above statement that the surplus which can be used as the legitimate basis for tax reduction is that surplus arising from the excess of earnings from income, excise, and other taxes, and the tariff, over the annual expenditures, and this surplus for 1927, is \$137,000,000; or if we include the payment from Germany of \$13,000,000, the total would be \$150,000,000.

It has always been considered necessary to have in the Treasury an unobligated balance. It is estimated that this balance should now be \$90,000,000 to meet the demands made on the Treasury, arising under law, as they accrue. For instance, on December 31, 1926, at the close of business the surplus was \$218,000,000; but on January 3, 1927, the first business day after December 31, these demands reduced the surplus to \$92,000,000.

In any bill providing for the reduction of taxes in addition to maintaining the unobligated balance, it is necessary also to give consideration to the retention in the Treasury of a further sum necessary to take care of the public needs and to finance the measures enacted to provide for the welfare of a growing country.

The amount to be received from the special irregular and nonrecurrent sources for the fiscal year ending June 30, 1928, is estimated at \$37,000,000, as compared with the \$232,000,000 for the fiscal year of 1927. Thereafter such receipts will be of comparatively small amounts, so far as can now be estimated; but if the entire amount yet due from such sources should be collected in one or two years, that would not afford a justifiable basis for permanent tax reduction. Only dependable and regularly recurrent sources of receipts can be so used. I think these recurrent receipts will show, after a reasonable experience under existing law, a surplus sufficient to justify a reduction in taxes, and then the amount of such reductions can be safely determined. But an ill-advised reduction now in the amounts proposed would reduce the income of the Government greatly below its requirements. That proposal purports to reduce taxation \$335,000,000. The surplus from recurrent sources plus the payment from Germany amounts to \$150,000,000. A reduction of \$335,000,000 would leave a deficiency of \$185,000,000 with no provision for an unobligated balance or for any other purpose. If a deficit should be made, it would necessitate the imposition of new or increased taxes, and this is not to be considered.

Since but one more tax reduction seems possible in the near future, or until such time as our foreign debtors begin and maintain payments in considerable amounts, so reducing the debt and the interest charge upon it, it is important that great attention be given to its construction, to the end that the burden of taxation should be distributed in just proportion to all taxpayers and the inequalities of the present law be eliminated. Our experience under the existing law is too short to determine what its ultimate earning power may be, and there is not time in the short session for the necessary and extended investigation and consideration the importance of the problem requires.

I have been a consistent and persistent advocate of tax reductions and that they should be made prudently, with due regard to the interests of all taxpayers and to their effect on the general prosperity.

The CHAIRMAN. The time of the gentleman from Oregon has expired.

Mr. GARNER of Texas. Mr. Chairman, will the gentleman yield?

Mr. HAWLEY. I have not the floor.

Mr. HARRISON. I yield the gentleman two minutes.

Mr. GARNER of Texas. I desire to ask the gentleman from Oregon a question. If I understand the gentleman, he says that at the present time the prospects of revenues on the part of the Government as compared with expenses will not justify a reduction in the taxes.

Mr. HAWLEY. Yes.

Mr. GARNER of Texas. I understood the gentleman also in the latter part of his remarks to state that the prospects are that in the near future probably there could be a reduction of taxes.

Mr. HAWLEY. Yes.

Mr. GARNER of Texas. Will the gentleman indicate whether or not he and the chairman of the Committee on Ways and Means have agreed as to a meeting of the Com-

mittee on Ways and Means in October next for the purpose of considering tax reduction?

Mr. HAWLEY. We have not.

Mr. GARNER of Texas. Has the gentleman talked with the chairman about that?

Mr. HAWLEY. I have not talked with the chairman at all about the time when a further reduction should be considered.

Mr. GARNER of Texas. I think the country is entitled to know whether the gentleman from Oregon and the gentleman from Iowa [Mr. GREEN] have in their minds at this time such a conclusion that tax reduction can be had in the Seventieth Congress, so that they propose to call the committee together in October next for the purpose of considering a bill for that purpose.

Mr. HAWLEY. Mr. Chairman, I obtained the figures that I have just presented from the Treasury Department and made the remarks I have made upon my own responsibility.

Mr. GARNER of Texas. That does not answer the question. Is the gentleman sufficiently convinced at this time that there will be an opportunity for tax reduction in the first session of the Seventieth Congress that he is considering the advisability of calling the committee together in October to consider that reduction?

Mr. HAWLEY. We have had no such conversation.

Mr. GARNER of Texas. The chairman of the committee has taken that under consideration and has it in his mind, has he not? I yield to the gentleman from Iowa [Mr. GREEN] for an answer if I have any time.

The CHAIRMAN. The time of the gentleman from Oregon has again expired.

Mr. HARRISON. Mr. Chairman, I yield 25 minutes to the gentleman from Kentucky [Mr. GILBERT].

Mr. GILBERT. Mr. Chairman, I arise to comment briefly, yet frankly and critically, upon certain recent actions of the President of the United States which very materially affect our governmental policy, both foreign and domestic.

At the close of the World War we stood exalted among the peoples of the earth. We had their respect, their confidence, and their affection. There was then presented an opportunity such as had never before been presented, and which may never return, for constructive measures, with far-reaching results for world peace. This inheritance the Republican Party used in a typically Republican way; that is, in a petty, selfish, pecuniary, and materialistic way. It proved incapable of any program commensurate to the situation, and seemed totally oblivious to the responsibilities it had assumed.

Charles E. Hughes, who, with 30 other leading Republicans, had issued a statement indorsing the League of Nations, and advising the people of the United States to support the Republican ticket "as the surest way of entering in," having been made Secretary of State, proceeded to use that great office to embarrass all the principles indorsed in that famous document. Considering the broad fields presented for world activities and service, his administration, like that of his chief, President Harding, was the most monumental failure of all times.

So within a few years we find that ill feeling and suspicion have supplanted respect and confidence. Instead of the big brother to oppressed people, we are considered the bully over little nations. Whether deserved or undeserved, this is a result of a few short years of Republican bungling of the country's foreign affairs.

Is that altogether lacking justification when we send an officer of the United States Navy, backed by great warships hovering threateningly along her coast, not to protect lives and property of Americans but to tell Nicaragua who her President is, and to insure the collection of certain debts owing to certain American and European interests. The President frankly tells us this. When did we become the bill collector for Europe?

The Constitution of the United States reserves to Congress the responsibility for military activities. It must declare war and provide the Army and Navy. This was to insure the country against the military aspirations of an ambitious President. Of little value are these safeguards if the President be first permitted to create a situation which will render military action necessary.

I always vote for a large Navy. It is indispensable so long as the Republicans are in charge of our foreign affairs.

It is almost impossible for a Representative in Congress unfamiliar with the laws and customs of Nicaragua, absent from its environment, and ignorant of its customs to accurately determine which of the contending factions there has the just and lawful position. I do not attempt to speak authoritatively on that subject. I do not care. Whoever suits them suits me. I simply call attention to the lamentably weak case the President made, and that those in best position to know are

almost unanimous in their disagreement with the President. This demonstrates the unwisdom of our interference unless the real interests of this country are being endangered.

That such was the case has been intimated through the press—veiled intimations that in some way the safety of the Panama Canal was involved. A careful reading of the President's message shows that such a foolish suggestion is not even advanced. The real reason, if it be a reason, is to protect American and European financial interests in that little Republic.

This brings us to a discussion of what is properly implied when I refer to the "real interests of this country." Upon this I am qualified to express an opinion with some authority as to how the ordinary persons in this country—especially in the interior sections of it—feel. We feel that something more should be required than the fact that investments of American citizens are being endangered. We feel that the circumstances under which those investments were made and their purposes should be considered. Were those investments made at the invitation of the foreign government and agreeable to the wishes of its people? Were they made in a responsible and proper manner? Were these American citizens mere fortune hunters intruding themselves, unsought and unwelcome, in other countries? Are they simply roaming the world to exploit the peoples unequal to them in business acumen? Are the interests in question great financial interests organized to deplete the natural resources of some weaker nation?

These questions may be irrelevant to Presidents, Secretaries of State, undersecretaries, diplomats, generals, and admirals, but they are fast becoming immensely relevant in the opinion of the American taxpayer.

While in China last summer the only American interests I saw were the American Tobacco Co. and the Standard Oil Co., and similar great interests with their towering buildings, acting as a constant irritation to those people whom they exploit. They have no regard for the good will of those people. They are simply financial freebooters willing to prey upon their own people as well as foreigners. In the city of Shanghai I, with some other Congressmen, went to a great American banking house to exchange my money for Chinese money, and received much less in exchange from my own people than I afterwards learned the Chinese were paying.

Our American tourists have throughout the years given a false impression of the American people. They are, generally speaking, lavishing in wealth and lacking in culture. They are domineering, bigoted, yet uninformed and unrefined. By these false types of visitors and investors this country has been prejudiced. Europe never knew the great American people until they met our real men and women during the Great War.

Though appeals to the heart and conscience are not always heard by the President, he can never be accused of being dilatory where investments, where property, where dollars are concerned.

I am voicing the ordinary man in this country when I say that I would like to have some real information as to who these Americans are, and the character of their investments and circumstances under which they were made before assuming such a bellicose attitude.

In the same general trend, throwing light on the foreign situation, is the domestic situation precipitated by certain recent actions of the President, which are innovations in that great office. I refer to the repeated attempts of the President to apparently influence the findings of certain great agencies of Congress.

In the great number of duties devolved upon it Congress has found it necessary to establish certain great commissions, such as the Tariff Commission, the Federal Trade Commission, and the Interstate Commerce Commission. These commissions pass upon questions of the greatest importance to the people of the United States. They have frequently in the course of decisions millions of dollars in controversy. In fact, seldom are the decisions, even of the Supreme Court, of as vital importance to the welfare of the country at large as are the decisions of these great tribunals. Their decisions should be as unbiased and as free, as impartial and pure, as the decisions of the Supreme Court itself.

So jealous were the framers of the Constitution of the freedom of the judiciary from the domination of the Executive that they placed them beyond the removal by the President, with tenure for life. What would be more subversive to the fundamental principles of this Government than for the President to exact the resignation of a judge as a prerequisite to his appointment? In principle there can be no difference between the exacting of a prerequisite of a judge than from a member of one of these great tribunals.

Such has been the admitted action of the President. Not only in this way, but offers of other positions to members who were holding an opinion different from that of the President, and while the matter was still pending has been charged and never denied by him. Not only in this way, but by his appointments, the President has permitted himself to be made a party to a preadjudication of great and important questions.

I refer now to the appointment of Cyrus E. Woods to the Interstate Commerce Commission at the behest of the great political organization, headed by Senator REED of Pennsylvania, and the great financial interests of Secretary Mellon, and other powerful Pittsburgh coal and oil interests—a nomination which the Senate committee has just rejected.

The facts are that Kentucky, Tennessee, and West Virginia, by reason of superior products and other natural advantages, have been able to wrest from those interests what is known as the Lake cargo trade, and the supplying of those products to the people of the Lake region. To offset these natural advantages there has been an effort for years by Senator REED or his clients or constituents to have the Interstate Commerce Commission increase the freight rates, so as to exclude these rivals of the Pittsburgh field from that trade.

Strange as it may seem, this action is taken by the rival shippers and not by the railroads, which admit that the freight rates existing are fair. After a long and tedious investigation the Interstate Commerce Commission, in spite of all the influence, financial and political, by a large majority, decided against these interests, which we will denominate the Pittsburgh field. It so happens that the term of Commissioner Cox, who held with the majority, and whose faithful and efficient service would seem to call for his reappointment, is expiring, and instead of reappointing Commissioner Cox or selecting some great man, unbiased and unprejudiced, for this great tribunal, the President, at the open request, accompanied by veiled threats from the Senator from Pennsylvania [Mr. REED], has nominated the said Cyrus E. Woods, connected with the very interests involved, and who openly admits his interest by promising that he will not sit in this case.

Some one should be appointed who could sit and render an honest, unprejudiced decision. Whether he sits or not, by his appointment the majority against the Pittsburgh interests will be lost and in future matters the country will be deprived of a decision on its merits affecting that great controversy.

I am led to believe with the gentleman from Alabama that our troubles, domestic and foreign, are the same and come from a perfect subservience on the part of the Executive to the great moneyed interests of the country.

The influence of the United States Senators from the great States of Kentucky, Tennessee, and West Virginia upon the President is as nought compared with the influence of the one Senator from Pittsburgh.

During the campaign recently closed the great Republican cry was that Coolidge needed the Republican Senators. In Kentucky the slogan was, "Coolidge needs Ernst." He does need him and needs him badly, but Kentucky does not need Coolidge. This fact I now think is obvious to the coal interests of Kentucky that have supported him. The truth is that such States can not expect favors, not even justice from a Republican President. The sole interest of a Republican President in such States is their delegate vote in national conventions, which vote is delivered without conscience to the incumbent or whoever will probably dispense patronage. Republican Senators from such States are always submissive, tractable, and loyal to the President, who only recognizes them to distribute patronage, which the organization at home could as well do.

I think Kentucky has learned her lesson. She has two Republican Senators, who with justice on their side, armed with a decision of the Interstate Commerce Commission, appealed in desperation to the President for the interests of their State, but their efforts were as effective as the voice of a coyote baying to the moon.

Mr. GARNER of Texas. Mr. Chairman, will the gentleman yield there?

Mr. GILBERT. Yes.

Mr. GARNER of Texas. Does the gentleman mean to convey the idea that the two Senators from Kentucky will probably vote to confirm Mr. Woods against the interests of Kentucky?

Mr. GILBERT. Never in this world. They will vote all right, and they may have some influence with their fellow Members in the Senate, but I was trying to portray what little influence they had with the man who they said wanted them. I hope and believe that with the justice of their cause they may be able to defeat that appointment.

Just yesterday we had an occasion illustrating the same thing. I happen to be on the District Committee here. I

voted for a bill for a public-utilities commission, because it was impossible to get for the people of this District any relief from the traction companies that gripped them by the throat. For years there has been one outstanding man who was fighting for the interests of the people of the District, largely without pay, a man recognized as the friend of the District, and whom every organization in the District indorsed for the place. But let us see what chance the people have when the President recognizes nothing but the moneyed interests. The people's counsel will not be the man that every organization in the District is clamoring for, the man who they say is entitled to it by reason of his service, but it will be another man. So far as the general impression is concerned, his selection was cut and dried. He is the friend of the very interests he is intended to oppose.

Mr. BLANTON. And this man Clayton is the only man in this District who knows the public history of every utility in the District?

Mr. GILBERT. Yes. Not only in all foreign affairs, but it is also in our State affairs and in our District affairs; and never before in the history of this country were dollars so powerful, and so little attention paid to the principles involved.

Mr. Chairman, I yield back the remainder of my time. [Applause.]

Mr. BARBOUR. Mr. Chairman, I yield 10 minutes to the gentleman from Michigan [Mr. SOSNOWSKI].

Mr. SOSNOWSKI. Mr. Chairman, the question of reapportionment was decided when the Constitution was first adopted by the thirteen original Colonies. They wrote that decision in Article I, section 2, clause 3, of that document. It is now the fundamental law of the land:

Representatives and direct taxes shall be apportioned among the several States which may be included within this Union according to their respective numbers, which shall be determined by adding to the whole number of free persons, including those bound to service for a term of years and excluding Indians not taxed, three-fifths of all other persons. The actual enumeration shall be made within three years after the first meeting of the Congress of the United States, and within every subsequent term of 10 years, in such manner as they shall by law direct. The number of Representatives shall not exceed 1 for every 30,000, but each State shall have at least one Representative; and until such enumeration shall be made, the State of New Hampshire shall be entitled to choose 3, Massachusetts 8, Rhode Island and Providence Plantations 1, Connecticut 5, New York 6, New Jersey 4, Pennsylvania 8, Delaware 1, Maryland 6, Virginia 10, North Carolina 5, South Carolina 5, and Georgia 3.

Reapportionment every 10 years is the fundamental law of this land. It is written in the charter, the contract, the Constitution. It has been there from the very first.

Reapportionment is a part of the very contract that bases my right to sit in this body; it is a part of the very contract that bases the right of each of you Members to sit in this body.

Mr. Chairman and Members of this House, it is not for us to choose nor for us to debate; it is for us to act. We have a solemn duty to perform. To reapportion or to violate the contract is the problem facing us. Our oath solemnly taken is involved. How we can adjourn this session with that plain constitutional mandate and our oath solemnly taken is beyond my comprehension.

The Constitution is a contract. It is a contract between the States, the Federal Government, and the individual citizen. The prime purpose of that contract—the States and the Federal Government on the one hand and the individual citizen on the other—was to give to the individual citizen certain guaranties. For illustration, the right of trial by jury, the right of free speech.

The purpose of that constitutional contract was to give the individual citizen equality of representation. This equality of representation is now denied certain citizens. How the ages past ring with the struggles of men for the right to be equally represented! How many wars have been fought in the centuries gone for the fundamental right to be equally represented! "Taxation without representation" was blazoned on the sky by the fathers of the Republic, and they thought, then, for all time. They reasoned that once it was written in the Constitution it would be safe, and for all of to-morrow the humble citizen who toils would be equally represented.

What a spectacle faces us to-day! This very right that has cost so much in blood and treasury is bandied about by the Congress itself. The very representatives of that Government have not only failed but refused to act for seven long years. Equal representation—a constitutional guaranteed right—is denied to millions of individual citizens because Congress does not carry out a plain uncontroverted provision of the Consti-

tution. There is naturally, because of change in habitation, some districts where the population is greatly in excess of the quota provided in the Constitution, and other districts where the population is below that quota. This means that there is inequality of representation, and because of this many other provisions of the Constitution are violated.

Taxation is involved, also a vote for President of these United States is involved, because of these inequalities. Whether the provision of the Constitution on this question is right or whether it should be changed is not now the subject. The question is, Will this Congress obey the Constitution or will we nullify?

Members of this Congress, on some other occasion, and under different circumstances, we might consider the very right of this provision of the Constitution, but not now. If the contract means anything, if its provisions are to be obeyed and enforced, then our course is plain and we should act and act now. There can be no excuse—true or fancied—for delay.

This is a specific law, not a matter of choice, but the law. This present Congress has a duty. It is imperative that we redistrict. If we fail, then the spirit, the letter, and the clear mandate of the law is violated. The people's servants or representatives have failed, utterly failed, and the fundamental law is held for naught. There is no representation, for one branch of the Government has not functioned. Such a policy, such an attitude, can not help but have a moral effect on not only those who were chosen to represent, deplorable as that is, but upon all the people. Well may the people reach the conclusion that, not only statutes, but constitutional mandates are subject to the will of the individual in their enforcement.

To illustrate the effect, this same Congress is spending millions of the people's money—money extracted from their pockets by the taxing power vested by this same Constitution—to enforce the eighteenth amendment and the law, enacted thereunder.

Is the humble citizen to infer, or draw the conclusion, or boldly assert, that if it pleases this Congress one constitutional provision and law must be obeyed by him under penalty of fine or imprisonment or both, and that Members of Congress may violate another provision—one hoary with age, and the Congress—the Members thereof—walk forth without punishment? If we are to demand law enforcement, then let us be brave enough to face the situation and act. Well may the humble citizen ask the question, why enforce a sumptuary law like the eighteenth amendment and treat as naught the one that takes his property for taxation? Is the taking away from the citizen his drink more sacred than taking away his property by taxation? Have we come into the time when the "thou-shalt-notter" is supreme? Is there one law for Congressmen and another for those who toil? Is the Constitution a contract, or may the citizen obey those provisions that suit his fancy and trample the others under foot?

Members of the House, I beg of you to see this matter in its true light, in its effect on the future of our country. We are taxing in many districts now where there is not equality of representation. The strong, mighty hand of the Government reaches out and takes the citizens' property, pours it into the Treasury and then takes this same money and uses it to spy upon and punish the very individual for obeying a natural instinct to take a little liquid refreshment, with the like of which his ancestors for ages have indulged their palates.

Well, may we ask the purpose of government. Is it to make it easy for the citizen to live in freedom and equality or to prepare him for a future state? Is the to-morrow to follow the chart laid down in the Declaration of Independence and the Constitution, or will we bind and gag by the opinions of a few in high place? Is the Constitution a contract with the individual and to guarantee rights that are sacred to minorities, or is it a moral mentor?

If we are to have respect for law, then those who are clothed with authority to make that law must scrupulously obey. Surely we can not hope long to exact more from the subject than is demanded from those who govern. Is not the private citizen in the districts where representation is unequal justified in saying, "They violate the Constitution by taking my money and then use my money to invade my castle—my home—to see, perchance, if my crushed grapes have obeyed the natural law of fermentation"? Then, if nature's ancient law of fermentation operates, the citizen is guilty of a grave offense and again must pay a fine and go to jail.

How this must impress that humble but honest citizen. How it must inspire him to noble purpose. There can be no honest respect for law while we, here at the very seat of Government,

disobey. And I say to you, we do violate when we do not reapportion.

Our country is young among the nations of the earth. Our form of government is the best ever conceived by the mind of mortal man and put into effect. There is nothing wrong with the machinery, but the difficulty comes in its operation. Liberty is never secure, for always there are those who will oppress. A representative form of government like ours can not long continue unless there is respect for the basic law in the mind and heart of the citizen. May I say the citizen is sound, but delays such as I refer to in reapportionment and superenthusiasm in petty regulations on the habits and customs of the people, may well shake the faith and break down this respect.

There is now a lack of respect for law and its enforcement throughout our country. It seems plain to me that we need not look far for its cause. Our failure to follow the plain reading of the Constitution and the passage of spying laws that violate the inherent instincts of the individual are the cause. Every student of present-day conditions knows that our Constitution is in greater danger to-day than ever before in its history. This House has many champions of the Constitution—for instance, on the eighteenth amendment. On the Republican side it has many staunch supporters of the great leader and founder of our party—Abraham Lincoln. It likewise has many champions on the Democratic side, following the principles of that great statesman, Thomas Jefferson. Is it not only fair to ask them to support that portion of the Constitution which refers to reapportionment as well as its other provisions? By so doing they will not only be fulfilling their solemn pledge but will be setting an example to the rest of the country in this observance of constitutional law. [Applause.]

Mr. BARBOUR. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. TILSON, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 16249) making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1928, and for other purposes, had come to no resolution thereon.

LIMITATION OF DEBATE

Mr. BARBOUR. Mr. Speaker, I desire to see whether we can now agree on time for general debate.

Mr. HARRISON. Mr. Speaker, I suggested to the gentleman from California three hours and a half on a side, but I would like to make this further request, that the time we have occupied this evening do not be included in that three hours and a half.

Mr. TILSON. Does the gentleman think it will take more debate than we can finish to-morrow?

Mr. HARRISON. Yes. I have requests for time which will really take over three hours and a half on my side.

Mr. TILSON. The gentleman has used a half hour on his side already.

Mr. HARRISON. I know, and so has the gentleman from California. I thought we would make a clean sheet to-morrow and begin with three hours and a half on a side to-morrow.

Mr. TILSON. Then we have gained nothing by consuming an hour this afternoon?

Mr. HARRISON. We have gained the benefit of the speeches which have already been made.

Mr. BLANTON. I will state to the gentleman from Connecticut that it is going to be necessary for some of us to defend our friend from California against the castigation he has just had here this afternoon, because he is not guilty. He has done what he could to bring about apportionment.

Mr. BARBOUR. I have done the best I could and so has the gentleman from Texas.

Mr. HARRISON. As I have suggested to the gentleman from California, this bill really occupies the attention of two committees—the Committee on Military Affairs as well as the Committee on Appropriations. In addition to that there are a number of gentlemen interested in certain matters of general interest, but three hours and a half will be time enough if we do not include the time used to-day. I did agree with the gentleman from California that three hours and a half would be enough time, but when I came to make a note of the time I found I would require more time, and I would be very glad if the gentleman from California would agree that the time which was occupied this evening be not included in the three hours and a half.

Mr. BARBOUR. I will say to the gentleman from Virginia that we were hopeful on this side that we could end the general

debate in seven hours. We thought that would be sufficient, and the time we used this afternoon would put us that much further along.

Mr. HARRISON. We would have to go on into a second day anyhow under the seven-hour arrangement, and whether we went over for one hour or a half hour it does not seem to me would make very much difference. Therefore I would respectfully ask the gentleman to agree to a further amendment, that the three hours and a half shall not include the time we have occupied this evening.

Mr. BARBOUR. Mr. Speaker, I ask unanimous consent that general debate on this bill be limited to seven hours from the present time, one-half to be controlled by the gentleman from Virginia and one-half by myself.

Mr. HARRISON. I thank the gentleman very much for his courtesy.

The SPEAKER. The gentleman from California asks unanimous consent that further general debate on this bill be limited to seven hours, one-half to be controlled by himself and one-half by the gentleman from Virginia. Is there objection?

There was no objection.

ADJOURNMENT

Mr. BARBOUR. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 5 minutes p. m.) the House adjourned until to-morrow, Saturday, January 15, 1927, at 12 o'clock noon.

COMMITTEE HEARINGS

Mr. TILSON submitted the following tentative list of committee hearings scheduled for Saturday, January 15, 1927, as reported to the floor leader by clerks of the several committees:

COMMITTEE ON APPROPRIATIONS

(10.30 a. m.)

State, Justice, Commerce and Labor Departments appropriation bill.

COMMITTEE ON INSULAR AFFAIRS

(10.30 a. m.)

Senate Committee on Territories and Insular Possessions
To hear a delegation from the Virgin Islands.

COMMITTEE ON NAVAL AFFAIRS

(10.30 a. m.)

To authorize an increase in the limit of cost of certain naval vessels (H. R. 15830).

COMMITTEE ON WORLD WAR VETERANS' LEGISLATION

(10 a. m.)

To authorize an appropriation to provide additional hospital and out-patient dispensary facilities for persons entitled to hospitalization under the World War veterans act, 1924 (H. R. 15663).

COMMITTEE ON WAYS AND MEANS

(10.30 a. m.)

To conserve revenues from medicinal spirits and provide for the effective Government control of such spirits to prevent the evasion of taxes (H. R. 15601).

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. RAMSEYER: Committee on the Post Office and Post Roads. H. R. 4040. A bill granting allowances for rent, fuel, light, and equipment to postmasters of the fourth class, and for other purposes; with amendment (Rept. No. 1764). Referred to the Committee of the Whole House on the state of the Union.

Mr. SPROUL of Illinois: Committee on the Post Office and Post Roads. H. R. 13444. A bill amending section 4031 of the Revised Statutes of the United States to enable postmasters to designate one or more employees to perform duties for them during their absence, including the signing of checks in the name of the postmaster; without amendment (Rept. No. 1765). Referred to the House Calendar.

Mr. SMITH: Committee on Irrigation and Reclamation. H. R. 15284. A bill to authorize the Secretary of the Interior to negotiate with irrigation districts, drainage districts, and water users' associations for release from obligation to construct drainage works, and for corresponding reduction in contract obligations of such districts and associations; with amendment (Rept. No. 1766). Referred to the Committee of the Whole House on the state of the Union.

Mr. GRAHAM: Committee on the Judiciary. S. 3170. An act to provide compensation for disability or death resulting from injury to employees in certain maritime employments, and for other purposes; with amendment (Rept. No. 1767). Referred to the Committee of the Whole House on the state of the Union.

Mr. WAINWRIGHT: Committee on Military Affairs. H. R. 15652. A bill to fix the age limit for training in the first year's course in citizens' military training camps; without amendment (Rept. No. 1768). Referred to the Committee of the Whole House on the state of the Union.

Mr. FURLOW: Committee on Military Affairs. H. R. 15662. A bill to further provide for the execution of topographic surveys for military purposes; without amendment (Rept. No. 1769). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. FROTHINGHAM: Committee on Military Affairs. S. 2139. An act for the relief of William W. Green, warrant officer, United States Army; without amendment (Rept. No. 1770). Referred to the Committee of the Whole House.

CHANGE OF REFERENCE

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 11888) amending so much of the sundry civil act of June 30, 1906 (34 Stat. p. 730), as relates to disposition of moneys belonging to the deceased inmates of St. Elizabeths Hospital; Committee on Military Affairs discharged, and referred to the Committee on the Judiciary.

A joint resolution (H. J. Res. 332) to correct error in Public, No. 526, Sixty-ninth Congress; Committee on Military Affairs discharged, and referred to the Committee on the Judiciary.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of Rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. HOGG: A bill (H. R. 16281) to grant to the city of Fort Wayne, Ind., an easement over certain Government property; to the Committee on Public Buildings and Grounds.

By Mr. MOREHEAD: A bill (H. R. 16282) granting the consent of Congress to the Nebraska-Iowa Bridge Co., its successors and assigns, to construct, maintain, and operate a bridge across the Missouri River; to the Committee on Interstate and Foreign Commerce.

By Mr. KINDRED: A bill (H. R. 16283) to authorize the Secretary of War and the Secretary of the Navy to furnish a firing squad to fire the customary salute for any service man; to the Committee on Military Affairs.

By Mr. WOODRUFF: A bill (H. R. 16284) to authorize the Secretary of the Navy to dispose of the former naval radio station, Marshfield, Oreg.; to the Committee on Naval Affairs.

By Mr. DYER: A bill (H. R. 16285) to amend section 53 of the Judicial Code relating to proceedings in the district courts in districts containing more than one division; to the Committee on the Judiciary.

By Mr. RAGON: A bill (H. R. 16286) to authorize an appropriation to enable the Director of the United States Veterans' Bureau to provide additional hospital facilities at the United States veterans' hospital at North Little Rock, Ark.; to the Committee on World War Veterans' Legislation.

By Mr. SMITH: A bill (H. R. 16287) for the irrigation of additional lands within Fort Hall Indian irrigation project in Idaho; to the Committee on Indian Affairs.

Also, a bill (H. R. 16288) authorizing an appropriation for the survey and investigation of the placing of water on the Michaud division and other lands in the Fort Hall Indian Reservation; to the Committee on Indian Affairs.

By Mr. RATHBONE: A bill (H. R. 16289) to amend an act entitled "An act to authorize the collection and editing of official papers of the Territories of the United States now in the national archives," approved March 3, 1925; to the Committee on Printing.

By Mr. ALMON: A bill (H. R. 16290) to amend the World War adjusted compensation act, as amended; to the Committee on Ways and Means.

By Mr. WILLIAM E. HULL: A bill (H. R. 16291) to regulate the sale of black bass in the District of Columbia; to the Committee on the District of Columbia.

By Mr. SCHNEIDER: A bill (H. R. 16292) to appropriate treaty funds due the Wisconsin Pottawatomi Indians; to the Committee on Indian Affairs.

By Mr. TINKHAM: A bill (H. R. 16293) providing for the demolition and removal of the Federal building at Boston, Mass., and the erection upon the site of the said Federal building of a new public building for post office and other Federal purposes; to the Committee on Public Buildings and Grounds.

By Mr. GRIEST: A bill (H. R. 16294) to amend an act entitled "An act to extend the free-delivery system of the Post Office Department, and for other purposes," approved January 3, 1887 (24 Stat. L. 355); to the Committee on the Post Office and Post Roads.

By Mr. KETCHAM: A bill (H. R. 16295) to provide for the further development of agricultural extension work between the agricultural colleges in the several States receiving the benefits of the act entitled "An act donating public lands to the several States and Territories which may provide colleges for the benefit of agriculture and the mechanic arts," approved July 2, 1862, and all acts supplementary thereto, and the United States Department of Agriculture; to the Committee on Agriculture.

By Mr. DEAL: A bill (H. R. 16296) to amend the act of July 16, 1862, which fixes the rates of wages of employees of navy yards annually; to the Committee on Naval Affairs.

By Mr. MOORE of Virginia: Resolution (H. Res. 376) with reference to the Mexican situation; to the Committee on Foreign Affairs.

By Mr. GRAHAM: Resolution (H. Res. 378) for the immediate consideration of S. 3170; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTION

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. AUF DER HEIDE: A bill (H. R. 16297) for the relief of Felix W. White; to the Committee on Naval Affairs. Also, a bill (H. R. 16298) for the relief of George Patterson; to the Committee on Military Affairs.

Also, a bill (H. R. 16299) for the relief of Frank Edward Kearney; to the Committee on Naval Affairs.

By Mr. BEERS: A bill (H. R. 16300) granting an increase of pension to Amelia A. Haiston; to the Committee on Invalid Pensions.

Also, a bill (H. R. 16301) granting an increase of pension to Rebecca E. Wallace; to the Committee on Invalid Pensions.

By Mr. CHAPMAN: A bill (H. R. 16302) granting an increase of pension to James H. Malear; to the Committee on Pensions.

By Mr. FAIRCHILD: A bill (H. R. 16303) for the relief of Katherine Frances Lamb and Elinor Frances Lamb; to the Committee on Claims.

By Mr. FISHER: A bill (H. R. 16304) granting an increase of pension to Susan M. Benton; to the Committee on Invalid Pensions.

By Mr. ROY G. FITZGERALD: A bill (H. R. 16305) granting a pension to Annie S. Haller; to the Committee on Invalid Pensions.

Also, a bill (H. R. 16306) granting a pension to Anna B. McVey; to the Committee on Pensions.

By Mr. HAYDEN: A bill (H. R. 16307) granting a pension to Su-ka-neah-nah; to the Committee on Pensions.

By Mr. HOOPER: A bill (H. R. 16308) granting a pension to Adell B. Lowery; to the Committee on Invalid Pensions.

By Mr. HOGG: A bill (H. R. 16309) granting an increase of pension to Mary Pritchard; to the Committee on Invalid Pensions.

By Mr. JENKINS: A bill (H. R. 16310) granting a pension to Martha Ferguson; to the Committee on Invalid Pensions.

By Mr. JOHNSON of Illinois: A bill (H. R. 16311) for the relief of the First National Bank of Savanna, Ill.; to the Committee on Claims.

By Mr. KELLY: A bill (H. R. 16312) to define promotion status of J. Earl McNamamy, Lieutenant, junior grade, Chaplain Corps, United States Navy; to the Committee on Naval Affairs.

By Mr. KETCHAM: A bill (H. R. 16313) granting a pension to Ella F. Lane; to the Committee on Invalid Pensions.

By Mr. KNUTSON: A bill (H. R. 16314) granting an increase of pension to Ida Ebner; to the Committee on Pensions.

By Mr. KURTZ: A bill (H. R. 16315) granting an increase of pension to Bertha H. Lafner; to the Committee on Invalid Pensions.

Also, a bill (H. R. 16316) granting an increase of pension to Sarah E. Bruner; to the Committee on Invalid Pensions.

Also, a bill (H. R. 16317) granting an increase of pension to Mary T. Green; to the Committee on Invalid Pensions.

Also, a bill (H. R. 16318) granting an increase of pension to Linda B. Fouse; to the Committee on Invalid Pensions.

Also, a bill (H. R. 16319) granting an increase of pension to Christena Gibson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 16320) granting an increase of pension to Annah E. Hains; to the Committee on Invalid Pensions.

By Mr. LEHLBACH: A bill (H. R. 16321) granting an increase of pension to Sarah L. Blauvelt; to the Committee on Invalid Pensions.

By Mr. LOZIER: A bill (H. R. 16322) granting an increase of pension to Mariah Evans; to the Committee on Invalid Pensions.

By Mr. McLAUGHLIN of Nebraska: A bill (H. R. 16323) granting a pension to Mary E. Miller; to the Committee on Invalid Pensions.

By Mr. MILLIGAN: A bill (H. R. 16324) granting an increase of pension to William B. Hampshire; to the Committee on Invalid Pensions.

By Mr. MOREHEAD: A bill (H. R. 16325) granting a pension to May Yoder; to the Committee on Invalid Pensions.

Also, a bill (H. R. 16326) granting an increase of pension to Alice Spence; to the Committee on Invalid Pensions.

By Mr. MURPHY: A bill (H. R. 16327) granting an increase of pension to Telitha Campbell; to the Committee on Invalid Pensions.

By Mr. ROBINSON of Iowa: A bill (H. R. 16328) granting an increase of pension to Addie Decker; to the Committee on Invalid Pensions.

By Mr. ROBSON of Kentucky: A bill (H. R. 16329) granting an increase of pension to Mary A. Bartley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 16330) granting a pension to Elizabeth Lively; to the Committee on Invalid Pensions.

Also, a bill (H. R. 16331) granting a pension to Cappa King; to the Committee on Invalid Pensions.

Also, a bill (H. R. 16332) granting an increase of pension to Elizabeth Inman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 16333) granting an increase of pension to Emeliza Barnhill; to the Committee on Invalid Pensions.

By Mr. SINCLAIR: A bill (H. R. 16334) for the relief of Vern E. Townsend; to the Committee on Claims.

By Mr. SPEAKS: A bill (H. R. 16335) granting an increase of pension to Ella Arnold; to the Committee on Invalid Pensions.

By Mr. SIMMONS: A bill (H. R. 16336) for the relief of Robert F. Neeley and Franklin E. Neeley; to the Committee on Irrigation and Reclamation.

By Mr. SWANK: A bill (H. R. 16337) granting a pension to Emily Donahoo; to the Committee on Pensions.

By Mr. TAYLOR of Tennessee: A bill (H. R. 16338) granting a pension to Chloe Cate; to the Committee on Invalid Pensions.

Also, a bill (H. R. 16339) granting an increase of pension to Minerva E. Hicks; to the Committee on Invalid Pensions.

By Mr. TUCKER: A bill (H. R. 16340) for the relief of the Staunton Brick Co.; to the Committee on Claims.

By Mr. VAILE: A bill (H. R. 16341) granting an increase of pension to Walter W. Donahue; to the Committee on Invalid Pensions.

By Mr. WILLIAMS of Illinois: A bill (H. R. 16342) for the relief of John L. Coy; to the Committee on Military Affairs.

By Mr. WOOD: A bill (H. R. 16343) granting an increase of pension to Walburga Fassnacht; to the Committee on Invalid Pensions.

By Mr. KNUTSON: Resolution (H. Res. 377) to pay to Walter C. Neilson \$1,200 for extra and expert services to the Committee on Pensions by detail from the Bureau of Pensions; to the Committee on Accounts.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

4933. By Mr. ADKINS: Petition of residents of Tuscola, Ill., requesting the passage of the Civil War pension bill; to the Committee on Invalid Pensions.

4934. By Mr. ARNOLD: Petition from citizens of Belle Rive, Ill., urging the passage of the Civil War pension bill; to the Committee on Invalid Pensions.

4935. By Mr. BAILEY: Petition of 110 citizens of Stone County, Mo., urging enactment of Civil War pension legislation; to the Committee on Invalid Pensions.

4936. By Mr. BRIGHAM: Petition of H. H. Sturgeon, J. F. Mahoney, and other citizens of St. Albans, Vt., favoring the passage of legislation for the relief of Civil War soldiers and widows; to the Committee on Invalid Pensions.

4937. By Mr. BULWINKLE: Petition of Mr. John W. Stamey and other citizens of Catawba County, N. C., petitioning for the passage of additional pension law; to the Committee on Invalid Pensions.

4938. By Mr. BURTON: Resolution of the Wardens' Association of the United States, voicing disapproval of any State or national legislation affecting the operation of prison industries by restricting the manufacture, transportation, or sale of prison-made goods; to the Committee on Labor.

4939. Also, petition of citizens of Madison, Ohio, urging that immediate steps be taken to pass a bill providing increases in pensions for Civil War veterans and their widows; to the Committee on Invalid Pensions.

4940. By Mr. CANFIELD: Petition of Andrew Riedel and 10 other residents of Madison, Ind., in favor of Civil War pension legislation; to the Committee on Invalid Pensions.

4941. By Mr. CHAPMAN: Petition of various and sundry citizens of Scott County, Ky., urging immediate steps to bring to a vote Civil War pension bill proposing relief for needy and suffering veterans and widows; to the Committee on Invalid Pensions.

4942. By Mr. COOPER of Wisconsin: Petition of certain citizens of Racine County, Wis., urging passage of a bill granting increase of pensions to Civil War veterans and their widows; to the Committee on Invalid Pensions.

4943. By Mr. DALLINGER: Petition passed at a public meeting in Woburn, Mass., indorsing the action taken by President Coolidge and Secretary of State Kellogg looking toward the position of American property rights and the rights of American citizens in Mexico and Nicaragua; to the Committee on Foreign Affairs.

4944. By Mr. ROY G. FITZGERALD: Petition of Northwest Chamber of Commerce and Hollywood Post, No. 43, American Legion, with over 85 per cent enlisted men, praying for rule to permit vote on Fitzgerald bill (H. R. 4548) for retirement of disabled emergency Army officers of World War; to the Committee on Rules.

4945. Also, petition of 268 voters of Montgomery and Butler Counties, Ohio, praying for the passage of a bill to increase the pension of Civil War veterans and their widows; to the Committee on Invalid Pensions.

4946. Also, a petition of Quentin Roosevelt Chapter, No. 5, Disabled American Veterans of World War, over 85 per cent enlisted men, Los Angeles, Calif., asking for rule to permit vote on Fitzgerald bill (H. R. 4548) for retirement of disabled emergency Army officers of World War; to the Committee on Rules.

4947. By Mr. FRENCH: Petition of citizens of Rathdrum and Post Falls, Idaho, for a Civil War pension bill; to the Committee on Invalid Pensions.

4948. By Mr. GALLIVAN: Petition of Boston Typographical Union, John O. Battis, secretary, Boston, Mass., urging early enactment of Fitzgerald workmen's compensation bill; to the Committee on Labor.

4949. By Mr. GARRETT of Tennessee: Petition of the Woman's Missionary Society, Methodist Episcopal Church, South, requesting a national uniform marriage and divorce law; to the Committee on the Judiciary.

4950. By Mr. HAUGEN: Petition of Mrs. Lucretia A. D. Turnbull, of Clayton County, requesting Civil War pension legislation; to the Committee on Invalid Pensions.

4951. Also, petition of 65 voters of Volga, Iowa, urging Civil War pension legislation; to the Committee on Invalid Pensions.

4952. Also, petition of five voters of Volga, Iowa, requesting Civil War pension legislation; to the Committee on Invalid Pensions.

4953. By Mr. HERSEY: Petition of Dr. A. J. Fulton and 15 other residents of Blaine, Aroostook County, Me., urging passage of pension legislation to aid the soldiers of the Civil War and their widows; to the Committee on Invalid Pensions.

4954. By Mr. HILL of Washington: Petition of Arthur Mykrantz and 10 others, of Twisp, Wash., petitioning for the increase of the pensions of Civil War veterans and their widows; to the Committee on Invalid Pensions.

4955. Also, petition of Sarah M. Van Slyke and 17 others, of Spokane, Wash., asking for increase of pensions of Civil War veterans and their widows; to the Committee on Invalid Pensions.

4956. Also, petition of Ida Belknap and seven others, of Kettle Falls, Wash., asking for the increase of pensions of Civil War veterans and their widows; to the Committee on Invalid Pensions.

4957. By Mr. HOGG: Petition of Ross H. Abel and other citizens, of Newville Township, De Kalb County, Ind., requesting pension legislation; to the Committee on Invalid Pensions.

4958. By Mr. WILLIAM E. HULL: Petition of Mr. William A. Tyler and other citizens of Pekin, Ill., urging immediate and favorable consideration of the Elliott pension bill for the relief of Civil War veterans and their dependents; to the Committee on Invalid Pensions.

4959. Also, petition of Mr. F. M. Gerring and other citizens of Peoria, Ill., urging immediate and favorable consideration of the Elliott pension bill, for the relief of Civil War veterans and their dependents; to the Committee on Invalid Pensions.

4960. By Mr. JACOBSTEIN: Petition of 121 citizens of the Thirty-eighth New York district, requesting Civil War pension legislation; to the Committee on Invalid Pensions.

4961. Also, petition of 51 citizens of the Thirty-eighth New York district, urging Civil War pension legislation; to the Committee on Invalid Pensions.

4962. By Mr. JENKINS: Petition signed by 67 citizens of Albany, Ohio, urging the passage of legislation for Civil War veterans and their widows; to the Committee on Invalid Pensions.

4963. Also, petition signed by 23 citizens of Dexter City, Ohio, urging the passage of legislation for Civil War veterans and their widows; to the Committee on Invalid Pensions.

4964. Also, petition signed by 11 citizens of Vinton and Hocking Counties, Ohio, urging the passage of legislation for Civil War veterans and their widows; to the Committee on Invalid Pensions.

4965. Also, petition signed by 13 citizens of Gallia and Lawrence Counties, Ohio, urging the passage of legislation for Civil War veterans and their widows; to the Committee on Invalid Pensions.

4966. Also, petition by citizens of Nelsonville, Ohio, urging the passage of a Civil War pension bill; to the Committee on Invalid Pensions.

4967. Also, petition signed by citizens of Glouster, Ohio, urging that immediate steps be taken to bring to the vote a Civil War pension bill for the relief of veterans and their widows; to the Committee on Invalid Pensions.

4968. Also, petition signed by 10 citizens of Meigs County, Ohio, urging that immediate steps be taken to bring to the vote a Civil War pension bill for the relief of veterans and their widows; to the Committee on Invalid Pensions.

4969. By Mr. KING: Petition signed by Mrs. Emily A. Robinson and 100 other citizens of Quincy, Ill., urging that immediate steps be taken to bring to a vote a Civil War pension bill in order that relief may be accorded to needy and suffering veterans and widows; to the Committee on Invalid Pensions.

4970. By Mr. KVALE: Petition of A. W. Peterson and seven other residents of Litchfield, Minn., urging enactment of the White radio bill without further delay; to the Committee on the Merchant Marine and Fisheries.

4971. Also, petition of Mrs. J. M. Howard and 16 members of Woman's Relief Corps, Litchfield, Minn., urging enactment of legislation increasing pensions of Civil War veterans and their widows, as advocated by the National Tribune; to the Committee on Invalid Pensions.

4972. Also, petition of Minnesota Beekeepers' Association, Rev. P. J. O'Connor, Renville, Minn., president, remonstrating against enactment of House bill 39; to the Committee on Interstate and Foreign Commerce.

4973. Also, petition of Mrs. Edw. Feldbauer and eight other residents of Wheaton, Minn., protesting against enactment of compulsory Sunday observance legislation or of other religious legislation; to the Committee on the District of Columbia.

4974. By Mr. McLAUGHLIN of Michigan: Petition of voters of Oceana County, State of Michigan, requesting Civil War pension legislation; to the Committee on Invalid Pensions.

4975. Also, petition of voters of the ninth congressional district of Michigan, requesting Civil War pension legislation; to the Committee on Invalid Pensions.

4976. By Mr. MILLIGAN: Petition urging the consideration and passage of House bill 10211, by citizens of Harrison County, State of Missouri; to the Committee on the District of Columbia.

4977. By Mr. MORROW: Petition of citizens of La Joya, N. Mex., indorsing bill for relief of Civil War veterans and their widows; to the Committee on Invalid Pensions.

4978. By Mr. NELSON of Missouri: Petition signed by D. Boone Osborn and others, in behalf of Civil War pension bill; to the Committee on Invalid Pensions.

4979. By Mr. MURPHY: Petition by citizens of Powhatan Point, Ohio, urging that immediate steps be taken to bring to a vote a Civil War pension bill in order that relief may be accorded to needy and suffering veterans and widows; to the Committee on Invalid Pensions.

4980. By Mr. NELSON of Missouri: Petition signed by Virgil Evans and others, in behalf of the Civil War pension bill; to the Committee on Invalid Pensions.

4981. By Mr. O'CONNELL of New York: Petition of the Eastern Broom Manufacturers and Supply Dealers' Association, favoring the passage of the Cooper bill (H. R. 8653) at this session of Congress; to the Committee on Labor.

4982. Also, petition of the Chamber of Commerce of the State of New York, favoring the building and maintenance of an adequate merchant marine; to the Committee on the Merchant Marine and Fisheries.

4983. Also, petition of the Camp Fire Club of America, favoring the passage of the migratory bird refuge bills (S. 2607 and H. R. 7479); to the Committee on Agriculture.

4984. Also, petition of the United States Maimed Soldiers' League, favoring the passage of House bill 13451, for those who lost a leg or arm as a result of wounds, at this session of Congress; to the Committee on World War Veterans' Legislation.

4985. By Mr. OLIVER of New York: Petition of Gladys A. Stielman and certain other residents of The Bronx, New York City, urging increases in pensions for Civil War veterans and their widows; to the Committee on Invalid Pensions.

4986. By Mr. PATTERSON: Petition of residents of Woodbury, N. J., favoring the passage of bill to increase pensions of veterans and widows of veterans of the Civil War; to the Committee on Invalid Pensions.

4987. By Mr. RAMSEYER: Petition of residents of Monroe County, Iowa, urging that immediate steps be taken to bring to a vote the Civil War widows increase of pension bill (H. R. 13450); to the Committee on Invalid Pensions.

4988. By Mr. ROBINSON of Iowa: Petition regarding radio from the citizens of Whitten, Hardin County, Iowa; to the Committee on the Merchant Marine and Fisheries.

4989. By Mr. ROMJUE: Petition of James Carter, Mrs. Treacy Thomas, and others, asking for increased pensions to Civil War veterans and their widows; to the Committee on Invalid Pensions.

4990. By Mr. ROWBOTTOM: Petition of Edd Pride and others, of Ottwell, Ind., requesting pension legislation; to the Committee on Invalid Pensions.

4991. By Mr. SMITH: Petition signed by Mary C. Turner and others, of Blaine County, Idaho, favoring the enactment of legislation to increase the pensions of Civil War veterans; to the Committee on Invalid Pensions.

4992. By Mr. THURSTON: Petition of citizens of Lucas County, Iowa, relating to legislation in favor of veterans of the Civil War and their dependents; to the Committee on Invalid Pensions.

4993. Also, petition of citizens of Decatur County, Iowa, relating to legislation in favor of veterans of the Civil War and their dependents; to the Committee on Invalid Pensions.

4994. By Mr. TINCHER: Petition of sundry residents of Kingman, Kans., urging passage of a pension bill for the relief of needy Civil War veterans and widows; to the Committee on Invalid Pensions.

4995. Also, petition of sundry residents of Reno County, Kans., urging passage of a pension bill for the relief of needy Civil War veterans and widows; to the Committee on Invalid Pensions.

4996. By Mr. VESTAL: Petition of voters of Randolph County, Ind., requesting Civil War pension legislation; to the Committee on Invalid Pensions.

4997. Also, petition of voters of Portland, State of Indiana, requesting Civil War pension legislation; to the Committee on Invalid Pensions.

4998. By Mr. VINCENT of Michigan: Petition of residents of Ionia and Gratiot Counties, Mich., requesting passage of a bill granting increase of pensions to Civil War veterans and their widows; to the Committee on Invalid Pensions.

4999. By Mr. WOODYARD: Petition of citizens of Parkersburg, W. Va., relative to pension legislation; to the Committee on Invalid Pensions.